[redacted]

COWAN, MAYOR.

CENTRAL CRIMINAL COURT.

MINUTES OF EVIDENCE,

Taken in Short-hand,

BY HENRY BUCKLER.

VOLUME VII.

SESSION I. TO SESSION VI.

LONDON:
GEORGE HEBERT, CHEAPSIDE.
WILLIAM TYLER, PRINTER, BOLT-COURT, FLEET-STREET.

1837.

WILLIAM TYLER,
PRINTER,
FOLT-COURT, FLEET-STREET.

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COWAN, MAYOR, 1837-38.

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W. Tyler, Printer, Bolt-court, Fleet-street.

[illegible] prisoner is known to be the associate of bad [illegible]ters.

LONDON AND MIDDLESEX CASES.

OLD COURT.—*Monday, November 27th*, 1837.

First Jury, before Mr. Recorder.

OHN PULLEN was indicted for a libel.
which no evidence was offered.) NOT GUILTY.

WILLIAM TREW was indicted for stealing, on the 31st of Octo- printed books, value 4*s.* 6*d.*; the goods of Thomas Bennett.

[illegible]MAS BENNETT. I live in Copthall-buildings, and am a bookseller. [illegible] night of the 31st of October I was in my shop—an alarm was [illegible]y my lad—I ran out and saw the prisoner running with these books [illegible] hand—I overtook him near Draper's Hall, and took my books out [illegible] hand.

[illegible]soner. It was distress, that drove me to the commission of the [illegible].

GUILTY.* Aged 27.—Confined Three Months.

EDWARD KEETCH was indicted for stealing, on the 10th of [illegible]ber, 1 truck, value 2*l.* 10*s.*, the goods of James Howlett.

[illegible]MES HOWLETT. I am a butcher, and live in George-row, Dock- On the afternoon of the 10th of November the prisoner came up to [illegible] Dock-head, and said, "If you please, is that truck to let?" I said [illegible]—he said, "I have been living with Mr. Ward, of Deptford, I have [illegible] I want to fetch a butcher's block away I shall want it two

in the prosecutor's shop when the prisoner came and asked if the truck was to let—he said it was—he asked him to let him have it, and he made a scruple about it—he said he lived at Mr. Ward's, at Deptford, and wanted to remove a block—he borrowed a rope—I had a good look at him—he was from ten minutes to a quarter of an hour there.

Prisoner. He said he had seen me before, and then when Sir Peter Laurie asked him again he said he had not. *Witness.* I understood Sir Peter Laurie to ask whether I knew his person—he was dressed in a dirty butcher's frock, with low shoes, and an apron—when he was apprehended he had boots on and the same coat.

THOMAS FRAXLER. I live in Cloth Fair. About four o'clock on Friday, the 17th of November, Howlett asked me to take the prisoner into custody—I went up, and Howlett accused him of hiring this truck from Dock-head—he said, "You are mistaken in the man," but Howlett was determined I should take him into custody, which I did with another truck.

GUILTY. Aged 34.—Confined Three Months.

OLD COURT.—*Tuesday, November 28th*, 1837.

Second Jury, before Mr. Recorder.

4. BENJAMIN ROE was indicted for stealing, on the 20th of November, 1 ream of paper, value 20*s.*, the goods of James Norris and another.

MATTHEW OGLE. I am clerk to James Norris and Mr. Johnson, in Upper Thames-street, stationers. On the 20th of November a person was waiting in the warehouse to see my master, and the prisoner was waiting outside—the one not in custody came in under the pretence of selling goods to master, and had been there an hour and a half—our carman came in and went backwards, and there was only me left in the warehouse—I saw the one inside, hand a ream of paper out at the door to the prisoner who was outside—he ran away with it—I directly ran after him—a gentleman tried to stop him—he knocked him down, but he was stopped again at the top of the lane—I kept my eye on him, and am sure he is the man.

Prisoner. I was standing at the corner of the lane waiting for a job—the man in the shop beckoned me over, and told me to carry the paper, and he followed me—there was a cry of "Stop thief"—I dropped it, ran off, and was stopped. *Witness.* I had not seen him waiting outside myself—the warehouseman had—I suppose the man waited so long in order to watch his opportunity—the warehouseman had spoken to him.

WILLIAM LANGTON. I picked up the paper which was dropped by the prisoner at my feet—I pursued him with Ogle, but having left my premises I turned back and took up the paper.

THOMAS DAVIS. I am warehouseman to the prosecutors. I recollect a man coming in on the morning of the 20th of November, about half-past ten o'clock, to sell some shavings—he waited there an hour and a half or two hours to see Mr. Norris or Mr. Johnson—he said either of them would do—he brought a sample of shavings—I observed the prisoner outside several times, nearly all the time the other was waiting inside.

Prisoner. I was outside about three quarters of an hour.

WILLIAM JOYCE. I am an officer of Vintry Ward. I took the prisoner into custody, and have the paper.

(*Property produced, and sworn to.*)

Prisoner's Defence. I was waiting outside for a young fellow, who said he would come and tell me of a job—he beckoned me over, and asked me to carry this paper—I heard a cry of "Stop thief," and dropped it.

GUILTY. Aged 20.—Confined One Year.

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5. PHILIP WOODMAN was indicted for stealing, on the 14th of November, 6 pairs of stockings, value 9*s.*, the goods of John Hancock.

CHARLES YEATMAN. I am shopman to John Hancock, a hosier in the Poultry. On the night of the 14th of November I was standing in our shop, and saw the prisoner make a snatch at six pairs of stockings, which were tied inside the door—he found a resistance from the string—he put up both hands, broke the string, and ran off with them—I followed and secured him, about fifty yards off, with them under his arm—I have them here and know them.

Prisoner. A young man dropped the parcel, I took it up, and was running after him to give it him. *Witness.* I think it was a dirty day—there was no dirt upon the parcel—I saw the prisoner take it.

GUILTY. Aged 19.—Confined Six Months.

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6. JOHN KING was indicted for embezzlement; and that he had been before convicted of felony.

ROBERT CHARLES HOPE. I am in the employ of Messrs. Thomas, of Cheapside. The prisoner was in their employ—on Wednesday, the 8th of November, I sent him with some clogs to Mr. Pickering, of Liverpool-buildings, Bishopsgate-street—he was to receive 1*l.* 14*s.* and bring it back—I did not see him again till he was in custody, on the Tuesday following.

MARY PICKERING. I am the wife of William Pickering, of Liverpool-buildings, Bishopsgate-street. On Wednesday, the 8th of November, I paid the prisoner 1*l.* 14*s.* for a dozen pairs of clogs which he brought—I gave him a sovereign, three half-crowns, a shilling, and sixpence, to pay to Messrs. Thomas—he wrote a receipt to the bill, which was sent into the country with the clogs.

Prisoner. I met my father, whom I had not seen for four years, and he followed me up to her door—I gave him the money, and went with him to St. Giles's, where he spent it.

WILLIAM THOMAS. I live in Cheapside, and have two partners. The prisoner was my errand-boy—he occasionally took out small parcels, and was to bring the money to one of the clerks in the counting-house, but he never returned—his mother had come on Thursday to inquire for him, and on Friday she brought him, saying he had told her he met a *cab*man, who decoyed him into a house of ill-fame, and got the money from him—he said himself that it was a *cab*man—but before the Magistrate he said it was his father—his mother said in his presence that she was a widow.

Prisoner's Defence. My mother did not say she was a widow—my father has been a lunatic these fourteen years—I made no statement about a coachman—I said my father took me in a *cab* and drove away to St. Giles's.

JOHN KINSEY. I am a policeman. I was present at this court when the prisoner was arraigned here, in June Sessions—he pleaded guilty—I have the certificate of his conviction, which I got from Mr. Clark—(*read*)—the prisoner is the person.

GUILTY. *Aged 14.—Transported for Seven Years.*

7. WILLIAM TURVEY and WILLIAM SHILLINGWORTH, *alias Daintry*, were indicted for feloniously breaking and entering a certain building, within the curtilage of the dwelling-house of John Hope Johnstone, on the 11th of November, at Teddington, and stealing therein, 13 fowls, price 1*l.* 6*s.*; one turkey, price 10*s*; and 1 pig, price 1*l.* 6*s.*; his property.

MR. PAYNE *conducted the Prosecution.*

JOHN HOPE JOHNSTONE. I live at Broomfield Cottage, Teddington, in Middlesex, and keep poultry in a large building, tiled, secured by bolts, and a lock outside—it joins on to part of a wall, running from my house, and then a hedge surrounds the building and the house—there is a complete fence all round—I locked the building myself about six o'clock on Saturday night, the 11th of November—I had twenty-one fowls there—I examined the pig-stye—there was a black pig safe there—about eight o'clock the next morning I found a staple of a large bar, which partly confined the hen-house, taken away, part of the tiles and lathing removed, and a large bell removed from inside the door—it had evidently been broken open—I found the yard strewed over with feathers, and the heads of three fowls lying there, with the skin of the whole neck attached to them—a good deal of blood was sprinkled about the door—I found inside, near the opening of the roof, a striped cap, which I gave to Cook, the officer, with the heads of the fowls—I missed thirteen fowls and a turkey-cock—I examined the pig-stye and found the bolt drawn, and a hurdle on the top of it moved, and missed a black pig, about five stone and a half—I observed, immediately opposite the pig-stye, impressions of feet, very complete, and traced them into an adjoining meadow—I was present when Cook brought a shoe which fitted one foot-mark, particularly as to a large nail in the centre of the shoe—there were evident marks of two persons, one smaller than the other.

RICHARD WILLIAM COOK. I am an inspector of the Borough police at Kingston on Thames. I accompanied Mr. Johnstone to his house, and examined the premises—I received from him a woollen striped cap—I made inquiry, and apprehended the prisoners at their lodgings at Hampton Wick, between twelve and one o'clock in the day, on Sunday the 12th—they lodged together—I found Turvey sitting on a chair before the fire, asleep—there was a pot on the fire, with something boiling in it—Shillingworth was on the bed in the room above, with all his clothes on except his shirt and shoes—his shirt was being washed—there was a pan in the room—I found a quantity of joints of pork mangled in an unseemly way—there was some black hair on the joints—some of the inner parts were quite warm—it had been pressed into the pan, but not salted—I called Pigrum, another constable in, and took the prisoners into custody—I asked them who the pork belonged to, and Turvey said it belonged to him—I asked how he came by it—he said, "Fair and honest"—I said, "Can you tell me who you bought it of?"—he said, "I growed it"—there was no pig-stye there—two fowls were boiling in the pot on the fire, they appeared to have the heads torn off close to the throat, and the skin torn off the breast—all the feathers and flesh of the neck were off—I observed that the heads were without necks, and the fowls have necks without skins—I found some baskets in the house, and one of them with some fresh blood, scarcely cold, and some fowls' feathers and a bill-hook, which appeared to have been recently used to chop up some meat—I took off Shillingworth's left shoe, *and in Mr. Johnston's presence*, with a pair of dividers, I tried the distance

from the top of the heel to the toe, and the mark of the nail in the centre, and have no doubt, from the measure and appearance of the impression, that the shoe had made it—on a table near to where Turvey was I found a sword or sabre—the floor of that room was quite wet, evidently recently washed, and a quantity of black pig's hair was sticking to the floor—before I went up stairs I asked Turvey where Shillingworth was—he said he did not know any thing of him—I found only one cap, and no hat—on examining the parts and putting them together, I consider there is the whole carcase of a pig except the head and feet—I observed some red marks about Shillingworth's trowsers, as if he had been wiping his fingers—I considered that to be blood, but he said before the Magistrate it was paint—it was evidently the marks of three fingers.

Cross-examined by Mr. Phillips. Q. Did you take Turvey's shoe to compare the marks? *A.* No.

William Pigrum. I am beadle of Hampton Wick Hamlet. On Sunday, the 12th, Mr. Cook produced a cap to me—I know Shillingworth wore such a cap as that—I have known him many years—I do not know anybody else in the neighbourhood who wears such a cap—I went with Cook to Turvey's house—I have heard Cook's evidence—it is correct—Turvey has always lived there, and his father before him.

William Marshall. I keep the Swan, at Hampton Wick. On Saturday, the 11th, I saw both the prisoners at my house—they left about nine o'clock, and returned in half an hour—one left about half-past ten, and the other about five minutes before eleven o'clock—they were drinking together—they came again on Sunday morning, about twenty minutes after seven o'clock, and I believe a man named Fendall with them—they stopped ten or fifteen minutes.

Cross-examined. Q. There was nothing remarkable about them? *A.* Not at all—Turvey was in the habit of coming to my house, which is about a quarter of a mile from Johnston's, and about twenty-five yards from Turvey's.

Mary Atkins. My husband keeps a beer shop in Hampton Wick. On Saturday night, between ten and eleven o'clock, on the 11th of November, I saw the prisoners at my house—they come there sometimes—I had a watch in my bosom at the time—(*looking at the cap*)—I have seen Shillingworth wear a cap of this kind, but I cannot swear this is the cap.

TURVEY*—GUILTY. Aged 20. } Transported for Ten
SHILLINGWORTH*—GUILTY. Aged 22. } Years.

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8. WILLIAM FAULKNER was indicted for stealing, on the 20th of May, 112lbs. weight of paper, value 30*s.*, the goods of Samuel Littlewood, his master.

Mr. Payne *conducted the Prosecution.*

Samuel Littlewood. I am a dealer in waste paper, and a cooper, and live in Upper Thames-street. The prisoner was my carman, and had 30*s.* a week—it was his business to go out and receive orders with a horse and cart, and bring the order home to me—on the 2nd of May he gave me an order, which I entered in this book at the time, "Mr. Compton, Edgware-road, 1cwt. paper, at 36*s.*"—I delivered that paper to him to take to Mr. Compton on the 10th of May—when he came back, I asked him if he had the money—he said no, Mr. Compton *was not at home*, and he had [illegible] him—*I asked him various times afterwards for the money*

—he made various excuses—at last I went to Edgeware-road and inquired, but could find no such person.

Cross-examined by MR. CHAMBERS. *Q.* Has not the son of the late Mr. Wilson a share in your business? *A.* No—he is apprenticed to me —(it was my uncle Mr. Gilbert Wilson's business before he died—his wife's nephew's name is Tyler)—he has no share in the business—he is apprenticed to me, and after he has served his time, according to agreement, he is to have a share—he does not receive any profits of the business—I pay and receive every thing as long as I am master—I am accountable to no one for the profits—the prisoner was with Mr. Wilson for years—he went with the appraiser to assist in valuing the stock—here is the probate of the will—I am in possession of the business under a will—Tyler has no interest whatever in the business at present—not till he is out of his time—I came into the business on the 1st of March, 1836—the prisoner has been with me ever since—it was his business to look for orders—he had no per centage on them—he brings me the order—I enter it in the book and deliver it to him—I pay his wages every Saturday evening—I did not trust him with the paper except to deliver it—I expected him to bring the money home to me that day.

WILLIAM COLYER (*City-police-constable* 89.) I took the prisoner in charge, and said if he said any thing it would go against him—he said he owed Mr. Littlewood 5*l.* 10*s.*—he afterwards said he had not sold this paper in the Edgeware-road, but elsewhere—I have inquired for Mr. Compton, but cannot find him.

(The prisoner received a good character.)

GUILTY. Aged 45.—*Recommended to mercy by the Jury.*
Confined Six Months.

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9. JOHN HYDE was indicted for stealing, on the 30th of October, 63 yards of flannel, value 30*s.*, the goods of Ebenezer Flint.

THOMAS FRANCIS BROWN. I am an officer of Bridewell Precinct. On the night of the 30th of October I saw the prisoner near Mr. Flint's shop, at the corner of Ludgate-hill, lurking about—I knew him, and watched him for twenty minutes—I saw him go into the shop, take the flannel under his arm, and walk off quite rapidly—I followed him—he pulled off his apron and covered it over—I immediately secured him with the property which he had taken from the door-way.

Prisoner. A man gave it to me to carry. *Witness.* No one gave it him —I saw him take it.

JOHN CARTER. I was in the service of Mr. Ebenezer Flint, of Ludgate-hill. I can swear to this flannel being his.

GUILTY.* Aged 28.—Transported for Seven Years.

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10. JOSEPH SARJEANT was indicted for stealing, on the 2nd of November, 1 hat, value 2*s.*; and 1 shilling; the goods and monies of Isaac Clift.

ISAAC CLIFT. I live in Upper White Cross-street, and am a pattern-block maker. On the night of the 2nd of November I was in the Cat public-house, Upper White Cross-street, and put a shilling on the bar to pay for a pint of ale—the prisoner took it up and handed it over to a person standing alongside of him, who took it, and went out to the door—he had a hat on at the time, and the other one too—the second man made his escape at the

reatment—I asked him several times to give it me back.

er. I put my hands into my pocket and gave him the shilling. He did not—I believe he had had a glass too much—I believe led to steal my shilling—I got no hat instead of my own—I did e what hat the prisoner had on at the house—whether it was bet- mine or not.

IAM COURTNEY. I am a policeman. I took charge of the pri- d produce the hat he had on—as I took the prisoner along, after iven into my custody, I observed to the prosecutor that he had no he said "Some one has got my hat," and seeing the prisoner had I took it off at the station-house, and the prosecutor claimed it— oner had been drinking—we found 5s. in his pocket, but he took ortunity, while our backs were turned, to secrete 4s. in his shoe, f he was very drunk, he could not have done.

IAM CROFTS. I am the landlord of the Cat. I observed Clift lay shilling to pay for ale—I was busy at the moment, and did not up, as I was serving another customer—I saw the prisoner pick it pass it to a companion at the bar—I said, "You have taken Mr. hilling," and at that moment the person he gave it to ran out— d been in my house before, and I had refused serving them, not heir company—I think he had had a little too much, but was quite d—I threatened to give him in charge if he did not give up the —I put him out of the door, and Clift went to get a policeman ruck Clift, and denied having any thing to do with the shilling l seen him take it up.

GIBSON. I live in Pleasant-row, Shoreditch, and am a pattern- I was with Clift on the night in question, and saw him lay down ling—the prisoner took it up, and passed it to his companion—an ion ensued—he was advised to give up the shilling, and that time escaped, but the prisoner seemed to me rather elated with liquor

lings, and a small key—I looked round, and he looked at me very hard, and tried to force himself through the crowd from me—I followed him—he then turned round, and faced me—I collared him, and said, "You rascal, you have picked my pocket"—he denied it, and at that moment my four half-crowns and two sixpences, and key, fell on the pavement, exactly on the spot where he stood—I called to my son to collar him while I picked up the money—he tried to get away, but I seized him by his waistband dragged him through the mob, and gave him him in charge.

THOMAS FRANCIS BROWN. The prisoner was given into my custody by Mr. Burgess, who delivered me the money and a key, all over mud—I found 10*s.* 3*d.* on the prisoner, and a knife.

WILLIAM BURGESS *re-examined.* It is not possible it could have fallen from any one else, for no person moved—they were looking at him—he had been pressing on me unnecessarily—I had not moved a yard from where I was robbed—when I collared him he turned round to let me out.

NOT GUILTY.

NEW COURT.—*Tuesday, November 28th,* 1837.

Fifth Jury, before Mr. Common Sergeant.

12. JOHN LEAVER was indicted for stealing, on the 20th of November, 1 yard of velvet, value 1*s.* 10*d.*; and 5 yards of calico, value 2*s.* 6*d.*; the goods of John Richardsby Bousfield and others, his masters; to which he pleaded

GUILTY. Aged 40.—Confined Three Months.

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13. ELIZABETH RILEY was indicted for stealing, on the 21st of November, 12lbs. weight of bacon, value 9*s.*, the goods of Joseph Pegg.

ELIZABETH PEGG. I am the wife of Joseph Pegg, a green-grocer, in King-street, Cloth-fair. On the 21st of November, about seven o'clock in the evening, the prisoner came into the shop, and took a piece of bacon, wrapped her gown round it, and took it out—I called out, "Put that bacon down; it does not belong to you"—I went out, and she went down the close—I told my husband, who went and brought her back with it, and her gown round it, as I had seen it.

Prisoner. A woman ran up to me, and said if I would take this to Jewin-street she would pay me—I did not steal it. *Witness.* She is the woman who took it.

ANN BRYAN. I was looking out of my window, and saw the prisoner go into the shop, and come out with the bacon wrapped in her gown—I hallooed out to Mrs. Pegg, and told her the way she went.

JOSEPH PEGG. I went after the prisoner, and said, "My lady, I have got you at last; you have got the bacon"—I found it under her gown—I brought her from No. 1, Half Moon-passage, where she ran for shelter.

Prisoner's Defence. After I had got the bacon I heard a cry of "Stop thief"—I thought all was not right, and ran into this house—when the man came I said I had got a piece of bacon, and gave it to him.

GUILTY. Aged 46.—Confined One Month.

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14. JOHN BRINKLEY and WILLIAM SHEPSTONE were indicted for stealing, on the 31st of October, 1 basket, value 6*d.*; and 34 cocoa-

nuts, value 8s.; the goods of Lazarus Isaacs, the master of the said John Brinkley.

Lazarus Isaacs. The prisoner Brinkley was in my service—in consequence of information I received, on the 31st of October, I went into a neighbour's house, and saw Shepstone lift up the latch of my door and go in—in about two or three minutes he came out with a basket—I followed him as he was just turning the corner, and said, "What are you about? you brought this from my house"—I moved a paper which covered the cocoa-nuts, and said, "How did you come by these?"—he said, "They were given me by Brinkley"—I said, "You must go back with me to the shop. I left Brinkley there; he has been robbing me, and has given you cocoa-nuts to carry away"—he said, "Don't take me back, for God's sake, for the sake of my character"—I took him back, and sent for Brinkley—I said to him, "You have been robbing me, and giving these nuts to this man"—he said, "I know nothing about it"—I said, "You must go with me before the Lord Mayor," and he was taken—there are twenty-four cocoa-nuts—I am sure they are mine—I saw them taken out of the house—I had left my wife at home when I went out, and Brinkley sitting in the shop—it was not his business to take care of the shop—I paid him so much a hundred for opening the nuts, and taking the husks off—I left him opening nuts—no one could have taken them without his seeing them—I was about ten minutes when Shepstone went in—my wife was in the kitchen, and when I came back—she is not here—Brinkley was gone when I came back.

Cross-examined by Mr. Phillips. Q. What o'clock was this? *A.* About twelve in the morning.

Brinkley. It was past twelve o'clock when I left the shop—I asked his master to give me 6*d.* to go and have my dinner—I was away three quarters of an hour—he sent one of his men for me to the public-house where I was, and when I went back he told me I was his prisoner.

Wolf Myers. I was selling grapes in Stoney-lane, and Brinkley came to me, and asked if I would buy eighteen cocoa-nuts—I told him I would buy none, where did he get them from?—he said, "What is that to you? if you were to come to-morrow with your bag to the front of my master's I would give you some good cocoa-nuts, that you should get a good day's work by"—I told Mr. Isaacs of this the next morning, and he told me to stand with my bag—I did so, but Brinkley did not come out—I saw Shepstone come out, but not Brinkley.

Brinkley. Q. When did I come to you? *A.* On Monday afternoon—you had eighteen cocoa-nuts in your basket—I did not know what the man who came out had in his basket till Mr. Isaacs took him into custody.

Jas Howell. I am a policeman. I have the cocoa-nuts.

Ann Kipps. I was working on the premises, down in the cellar—Brinkley told me to take the cocoa-nuts up, and give them to Shepstone—I hesitated twice, but unthinkingly took them up, and gave them to him.

Cross-examined. Q. Did he not ask you to take them to Bury-street? *A.*—Mrs. Isaacs was in the shop at the time—I did not tell her *A.*

Brinkley. Q. Did I give you any? *A.* Yes—you were down in the cellar, and told me to bring up these, and give them to Shepstone out the back way.

COURT. *Q.* Did Shepstone say any thing to you? *A.* No—he was coming in the back way, standing there, and I ran and gave him the basket.

MR. ISAACS *re-examined.* I think Shepstone took them honestly, for Brinkley was in the habit of taking out nuts, from time to time, to grocers, and he might have said to Shepstone, "Carry these out for me"—Shepstone did not tell me so—he said that Brinkley gave them to him.

(Shepstone received a good character.)

BRINKLEY—GUILTY. Aged 25.—Confined One Year.

SHEPSTONE—GUILTY. Aged 25.—*Recommended to mercy.*—Confined Three Months.

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15. JOHN BALL was indicted for embezzlement.

CHARLES JAMES SAUNDERSON. I live in Silver-street, Wood-street, and am a cigar-merchant. The prisoner was my town-traveller—he collected money for me, which he should pay to me next morning—he has not paid me 1*l.* 8*s.*, nor 2*l.* 17*s.* 9*d.*, nor 2*l.* 4*s.*, from Mr. Saunderson.

JOHN DALE. I am a tobacconist, and live in Plummer-street. On the 28th of September I paid the prisoner 1*l.* 8*s.*, on the 12th of October, 2*l.* 17*s.* 9*d.*, and on the 25th, 2*l.* 4*s.*—all for his master.

Prisoner's Defence. About seven years ago I entered into an agreement with Mr. Saunderson, as his agent, for the sale of his cigars, my only remuneration being the surplus in the price for which I sold them—I was not to receive any salary, nor any stated commission—I was to consider myself liable to part of the bad debts—on being first engaged, he was in want of a connexion—I procured him one—the cash I expended was considerable—I not only procured him a good business in town, but actually purchased a horse and cart, to increase the same in Kent and Surrey—the income I got was about 3*l.* a week, and I had to keep the horse and cart—the last two years I have been much reduced, in consequence of the illness of my wife and two children, who are dead, and was tempted to appropriate two sums to my own use.

MR. SAUNDERSON *re-examined.* He was to have a commission but no salary—he was not an agent, he had a commission on the goods—we never credited him a penny—he was employed as a servant—he has procured me part of my connexion, and he has kept a horse and cart at his own expense—he had two children, one of them is dead.

GUILTY. Aged 36.—*Recommended to mercy.*—Confined One Year.

OLD COURT.—*Wednesday, November* 29th, 1837.

First Jury, before Mr. Sergeant Arabin.

16. ROBERT STUBBS was indicted for stealing, on the 9th of November, 1 pocket, value 2*d.*; 1 handkerchief, value 6*d.*; 1 shilling, 8 pence, 4 halfpence, and 1 farthing; the goods and monies of Drusillar Willshire, from her person.

DRUSILLAR WILLSHIRE. I am a widow, and live in Portpool-lane. I work at cloth caps—on the 9th of November, the day the Queen came into the City, I was at the corner of the Old Bailey, near Ludgate-hill, between two and three o'clock, standing on the edge of the pavement with a friend—I felt somebody pulling up my clothes—I put my hand down to try to put them down, and they were forced up more—I put my hand down

again, and took hold of something which was torn—I found part of the prisoner's coat up my petticoat my pocket had been tied round me—I turned round, and saw something white between the prisoner's legs, hanging down from his knees—I thought it was his apron, and was going to tell him he had torn his apron, and found it was my pocket—I took hold of him, and said, "You scoundrel, you have torn my pocket off; and it is your clothes I have torn, and not my own"—he turned very pale, but still held the pocket very tight—I took it from him—a policeman came, and I gave him in charge directly—this is my pocket—it contained a handkerchief, 1s., four half-pence, and a farthing.

George Chidgzey. I am a policeman. I was on duty—the prosecutrix called for assistance—she had hold of the prisoner's collar with one hand, and the pocket in the other—she said he had turned her petticoats up, and torn her pocket off—the prisoner's coat was torn from the elbow down.

Prisoner's Defence. I stood there five or ten minutes—she said if there was a policeman she would give me in charge—I said "I have not touched your pocket," and I was four feet from her when the policeman came—I said "I am the person charged with the robbery," and walked to him—nobody had hold of my collar—as I was pushing into the crowd, I saw something white on the pavement, I stooped down to pick it up, and the woman caught hold of my arm.

GUILTY. Aged 41.—Transported for Fifteen Years.

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17. DANIEL HALE was indicted for stealing, on the 24th of October, 1 truss of hay, value 2*s.* 6*d.*; the goods of Benjamin Briers.

Benjamin Briers. I am a farmer, and live at South Mimms. I have lost hay from time to time, and on the 23rd of October I sat up to watch—the hay was in a shed in the rick-yard—about half-past two o'clock in the morning, the prisoner came into the shed and took a truss of hay—I let him go across the field, about two hundred yards from the shed, and then secured him—he said he hoped I would forgive him, and he would never come again—I took him to his father, who is a labourer, and lives about one hundred and fifty yards from me—I left him there, and went for him next morning, but he was gone—I gave information to the police, and he was apprehended on the 13th of November—I never heard any thing wrong of him before.

Thomas Austin. I am an officer. The prosecutor gave me information, and I was looking for the prisoner until the 13th of November, when I apprehended him at his father's house.

GUILTY. Aged 20.—*Recommended to mercy.*—Confined Nine Months.

Before Lord Chief Justice Denman.

18. MARGARET JAMES was indicted for knowingly, and without lawful excuse, feloniously having in her custody and possession a mould impressed with the figure and apparent resemblance of the obverse side of a shilling.—2nd Count, stating it to be impressed with the reverse side.

The Hon. Mr. Scarlett *and* Mr. Ellis *conducted the Prosecution.*

William Reynolds. I am a constable. On the 31st of October, about half-past ten o'clock in the morning, I went to No. 1, Bennet-court, [illegible] George-street, Bethnal Green, with Duke and Hall—we found the [illegible]—I took a small crow-bar, forced it open, and ran up stairs

—I got near the top of the flight of stairs, and the prisoner was on the top of the stairs—there are only two rooms in the house—the prisoner was in the act of leaving the room, and had got one foot on the stairs—she was coming out of the room, as her face was looking down the stairs—I laid hold of her, and put her back into the room—Duke and Hall followed me up—I was going to put the handcuffs on the prisoner—she said, "Don't handcuff me, I will be quiet"—she seemed much agitated—I told Duke to go to the fire-place, and there was a plaster of Paris mould in a saucepan-lid on the fire, which he took off—I kept the prisoner in custody, and took her to the office—she said coming along, "I may say good bye to England this time, for ever."

Prisoner. The street-door was not fastened—it was wide open, and the landlady can prove it. *Witness.* It was fastened.

ROBERT DUKE. I am an officer. I accompanied Reynolds—I was not in a situation to see him burst the door open, but I followed him up stairs, and observed the prisoner on a chair, and Reynolds holding her—there was a very strong fire in the grate, and on the top of the fire this saucepan-lid, and in it was this mould quite hot—I took it off—it had the impressions downwards.

WILLIAM HALL. I am an officer. I accompanied Reynolds and Duke to the house—I was immediately behind Reynolds—the street door was shut, and as soon as he put the crow bar to the top, it went open—I cannot say whether it was locked—it might have been unlocked—there was no handle outside that I saw—I followed Duke up stairs—as soon as the prisoner was seated, I searched the place—in a cupboard by the side of the fire-place I found a paper bag containing a quantity of plaster of Paris; and on the hob a pipkin with three pieces of white metal in it, hard, and a tobacco-pipe—under the grate I found three pieces of broken mould, which appeared to have been used, and on the mantel-piece this small file, with white metal in the teeth of it—I asked the prisoner who the things belonged to—she said they were hers—she said the goods in the house were hers—I said "Whose things are these?" meaning the bed and furniture—she said they were hers—I asked who was her landlord—she said Mr. Sherman—she did not exactly know where he lived—I said "Do you owe him any rent?"—she said, "No, I paid all my rent yesterday"—I said "Have you no rent book?"—she said, "Yes, it is in the box," and there I found it.

JOHN FIELD. I am Inspector of Coin to the Mint, and am in the habit of examining materials for coining. I have seen a great many moulds—this is a plaster of Paris mould intended for casting counterfeit half-crowns—it is impressed with the figure and apparent resemblance of the obverse side of half-a-crown; and the other half has the impression of the reverse side—it is usual to keep the mould hot while casting—the bag has plaster of Paris in it—the metal in the pipkin is white metal, which appears like Britannia metal—one piece appears to have been made in a mould, but not in this mould—the others are in the shape of a mould, but have no impression—whatever was on it has been scraped off—a pipkin is usually used to melt the metal, and tobacco-pipes are used to lade the metal out into the mould—the file has white metal in the teeth of it—it is used to take off the rough edge of the coin.

DANIEL SHERMAN. I am a builder, and live in Paradise-row, Bethnal-green. The house, No. 3, Bennet's-court, belongs to me—I considered the prisoner my tenant—an old lady lived there with her—sometimes one

[illegible] and COUNT, stating his intent to be to maim and disable
d COUNT, to do her some grievous bodily harm.

A MOORE. I live at No. 54, Nelson-street. I have known the
rather better than three years—I lived with him that time—he is
aker by trade—he lived at No. 6, Mount-street, Bethnal-green, at
I lived with him—I left him on the 13th of October—I met him
ditch on Sunday, the 18th, at half-past eleven o'clock in the morn-
asked me how I was—I told him I was very well—he asked me where
oing—I told him not far—he asked me where I lived—I told him it
business of his where I lived—he followed me to the corner of the
—I asked him what he was following me for—he asked if I would
y thing to drink—I told him I did not want any thing to drink,
used to go—he asked me more than once—I walked away from
d he asked me again—I still refused—I asked him what he was
ng me for—he told me he was not—he was close behind me—I
him away once or twice from me, and told him if he followed me
e to annoy me when I was at home I would *chuck* a pail of water
m—I crossed over, and went to my own door, No. 61, Castle-street
door was shut—a little boy opened it who was in the house—when
I endeavoured to shut the door, but the prisoner prevented m—
ght hold of me by the shoulder and stabbed me directly—I cannot
ere the first stab was—I had one stab on my shoulder—he stabbed
e times—he stabbed me in my throat—I saw the blade of something
hand, but I cannot say what it was—I called out, "Murder," and
ld of him by the neck-handkerchief—he said, "You b—— let go"
ut the corners of his handkerchief off with what he had in his hand,
t away—I bled very much—I was taken to the hospital, and was
rom the 18th of October to about three weeks ago—this is the bon-
ad on at the time—(*looking at it.*)

u-examined by MR. DOANE. *Q.* When you met the prisoner this
wanted to go with you to your lodging? *A.* He asked where I

left the prisoner to get married to another man, to keep me—I was living at that house with another man at that time—I was struggling as much as I could to keep him out—I was not particularly flurried—I am sure I had not hold of his handkerchief before I felt myself stabbed—I laid hold of the corner of his handkerchief—I took hold of it first when I found the blood was running—I had not laid hold of him any where else before that—I cannot tell which was the first stab—he had got completely into the passage when it happened—we were close together then—I was doing nothing to him—I was standing quite still—I did not try to prevent his going further when he got within the door—as soon as he got me from behind the door he stabbed me directly—there was not any struggle between us after he got in—he stopped me when he got me from behind the door, and stabbed me directly—I did not attempt to prevent his going further into the passage—I was taken to the hospital in a *cab*—I saw him at Worship-street a fortnight after—he expressed his desire to shake hands with me then, and did so.

COURT. *Q.* Was that after the examination was over? *A.* Yes.

ELIZABETH FORSET. I and my husband lodge in the parlour of this house, in Castle-street. On the 18th of October, while I was in the parlour, I heard the cry of "Murder," and went out—I saw the prisoner there—he had hold of the prosecutrix by the front of her bonnet, holding her down, and was stabbing her through the crown—this is the bonnet, and here is the hole in the crown—(*showing it*)—I took hold of her by the shoulder, and said, "Come away from him;" and as I pulled her, he struck her with the knife in the back part of the neck—the knife drew out, and I pulled her away from him—I saw him strike her twice—she had hold of his handkerchief, and he said, "You b—— let me go"—he cut the corners of the handkerchief off, and then ran out of doors down Cock-lane—I ran out after him as quick as I could, and he was stopped by a a miller.

Cross-examined. Q. When you came out, hearing the cry, what part of the passage were they in? *A.* Close against my door, and as close to the street door as could be—it was open—there is a little entrance before you can get to my door, and he was standing inside that—it was the cry of "Murder" which made me come out of my door, but I had seen him in the Broadway before.

JOHN TOOMBES. I live at No. 58, Castle-street, three doors from the prosecutrix. On the 18th of October, I was in my own house—I sent my wife out for something, and came out at the door to look for her—I saw a man and woman standing at the door of No. 61—I saw her go in first, and the prisoner followed after her—I heard a scream immediately after, and went to the door—I saw the prisoner struggling with the woman, and saw him draw his hand from her neck, and saw blood on his hand as he drew it away, and I distinctly saw the blade of a knife—it was like the point of a penknife—he instantly came out of the house—I followed him—I had a child in my arms at the time—I saw him taken, without losing sight of him.

Cross-examined. *Q.* When you first saw them, were they not scuffling? *A.* I came to the door as she went in, and can scarcely say—I did not go up to the door till I heard the scream—they were scuffling at the door—he seemed forcing his way in—she was then going in—I could not perceive at that distance whether she was preventing him—I was examined

at the police office—my deposition was read over to me and I signed it—I read—"I saw the prisoner scuffling with the prosecutrix at the street door."

COURT. *Q.* Do you mean by scuffling that one was *shoving* the door to get in, and the other *shoving* it to keep him out? *A.* Yes—I saw him *shoving* the door—she was going in at the door.

ROBERT BECKERSON. I am a policeman. The prisoner was stopped by one or two private individuals—I did not see him stopped—I took him back to No. 61, Castle-street—the prosecutrix saw him and said, "That is the man who stabbed me, and I give him in charge for stabbing me"—I took him to the station house—I produce two pieces of a neck-handkerchief, which were given me by a brother constable.

BENJAMIN BARROW. I am house-surgeon to St. Bartholomew's Hospital. The prosecutrix was brought there on the 18th of October—I found five wounds on the upper part of her body—there were two on the head, and one on the back part of the neck, on the left side—the one on the neck was about an inch in length—there was one in front of the throat, on the right side, about the same length, and one on the left shoulder—I considered she was in danger at the time—she was under my care about a fortnight—they were stabs from a sharp instrument.

GUILTY on the 3rd Count.—Confined Two Years.

Before Lord Chief Justice Denman.

30. **ROBERT COLE** was indicted for burglariously breaking and entering the dwelling-house of James Partridge, about the hour of two in the night of the 1st of November, with intent to steal, and stealing therein, 1 handkerchief, value 2*s.* 6*d.*, his goods.

JAMES PARTRIDGE. I live in Darkhouse-lane, Billingsgate, in the parish of St. Mary-at-hill—mine is a night house. On the 1st of November, about two o'clock in the morning, I saw the prisoner standing outside the bar of my house in the passage—he applied to my servant for a bed, and paid for it before he went to it—he went to bed about two o'clock, and about a quarter to three I heard my wife cry out that there was a man in her room—I was down stairs—I went up directly into our bed-room, as soon as I could get a light, but found nobody there but my wife—I cannot prove that the room door was fast—I had got up and left my wife in bed—I cannot swear I closed the door—it might possibly have been left open—in consequence of the alarm I went to the prisoner's room with an officer, and found him in bed—my man came into the room, and in consequence of what he said I felt the candle in the room, and it was warm as if lately blown out—I searched the room and found nothing then, but two or three hours after we found a handkerchief which I missed from my bed-room, under the prisoner's bed, between the sacking and the bed—he was still in bed—this is the handkerchief—I had seen it safe in my own room when I went to bed.

ANN PARTRIDGE. I am the prosecutor's wife. My husband got up early in the morning on the 2nd of November—I had seen the handkerchief about eleven o'clock, when I went to bed, on a chair close by the bed-room door—I was awoke when my husband got up—I know this to be the handkerchief—I have my own marking on it—I can positively swear the door was shut when my husband went down—I was awake, and he shut it after he went out—I am quite sure it was on the latch—I awoke afterwards by the glare of a candle coming in at the door, as

I suppose—I saw somebody at the foot of the bed stooping down—I thought it was my husband, and asked him what he was looking for—the person turned round as he was going towards the dressing table—he went towards the door and left the room—I gave an alarm, and my husband came up—the handkerchief had been placed over some clothes the day before, and when I went to bed I took hold of it and placed it further on the chair.

JOHN CHARLTON. I am a policeman. I was sent for to Mr. Partridge's house on Tuesday morning, the 2nd of November, between five and six o'clock—an officer had been there before me—I went with the prosecutor into the room, and found the prisoner in bed—he was very reluctant to get up, and while he was getting up they searched his clothes, and found three sovereigns, four half-crowns, 3*s.* 6*d.*, and fourteen duplicates, seven of them for handkerchiefs—I found this handkerchief between his bed and sacking.

Prisoner's Defence (*written.*) I was rather intoxicated when I went to the house—I called for some coffee and went to bed—I dropped a sixpence, but did not miss it till I got up stairs, when I searched for it but could not find it, after being in bed about five minutes the alarm was given, and the sixpence I had lost was found in my umbrella—nearly at the same time I went to bed two females went up stairs—all was quiet till half-past six o'clock, when the handkerchief was found under the bed—if I had known it was there I could not have slept, besides there was time to have eaten it if I was guilty—the landlady said at first that the man had a great-coat on in the room, but afterwards said she saw somebody crawling on his hands and knees.

JAMES PARTRIDGE *re-examined.* I sent for an officer first who is not here now—the prisoner did not say any thing about losing sixpence—we found a sixpence in his umbrella when the officer examined it—but I did not hear the prisoner say he had lost one before that—there were no women in the house besides my own family—we had two men lodgers.

ANN PARTRIDGE *re-examined.* I told the officer the man had a coat on, and a brass candlestick in his hand—I believe I said a frock-coat—we had but two brass candlesticks, one was in my room, and the prisoner had the other in his room—when I went into it I saw it there, and am sure the person in my room had a brass candlestick in his hand—I said so before I saw him—he went out stooping, and I believe he went out on his hands and knees.

JOHN CHARLTON *re-examined.* I found the sixpence in his umbrella—he said nothing about losing one, but he said afterwards that when he counted his money he should have missed it.

GUILTY of stealing only. Aged 25.—Transported for Seven Years.

Before Lord Chief Justice Denman.

21. WILLIAM STEWARDSON and DANIEL HOCKLEY were indicted for stealing, on the 16th of November, at St. Andrew by the Wardrobe, 1 watch, value 20*s.*; 1 seal, value 8*s.*; 1 chain, value 4*d.*; 1 key, value 4*d.*; 10 sovereigns, and 1 £5 note; the goods, monies, and property of Edward Stewardson, in his dwelling-house.

EDWARD STEWARDSON. I am a tailor, and live on St. Andrew's-hill, Doctors Commons. The prisoner William Stewardson is my son—he is fourteen years old—on the 16th of this month, between six and seven

o'clock in the morning I found my bureau broken open, and missed ten sovereigns, a £5 note, a knife, and other things, I cannot exactly say what—my watch was gone, which I had seen safe the day before—the prisoner lived with me, and slept in an adjoining room—he was gone when I missed my property, and I did not see him again till the following day—I gave notice to my children, and they went in search of him—(*looking at the property*)—I believe this watch to be mine and what I missed—I cannot swear to the £5 note—I had received six £5 notes from the Savings'-bank the night before—I did not know they were indorsed at that time, but when I lost this one I looked at the rest, and all five of them were indorsed.

THOMAS STEWARDSON. I am the prosecutor's son. I went in search of my brother, and found him next morning in a *cab*, near London-bridge, coming down to the steam-wharf I gave him in charge, and went with the officer to Hockley's house, whose father promised he should appear next day at the office, and we did not take him.

Cross-examined by MR. PHILLIPS. *Q.* I believe he did appear before the Magistrate? *A.* Yes—the first day, and was allowed to go at large on his father's promise, but he did not come next day till the Magistrate sent for him.

JOHN EVANS. I am street-keeper of Candlewick Ward. I went with the last witness to Hockley's, and asked him if he knew young Stewardson—he said, "Yes"—I asked if he had been with him the day before—he said, "Yes"—I asked him if he had any thing about him—he said "Yes," and gave me this knife—I asked if he had any money—he said not, and I found none on him—I took Stewardson into custody while he was settling with the cabman—I took him into a coffee-shop, and said, "You have robbed your father of some money"—he said "Yes, I have"—I said, "Have you any money left?"—he said "Yes"—I said, "Give it to me"—he pulled out a purse with eight sovereigns and a half—at the station-house I found a watch on him, and a new dirk—I find two dirks have been bought—they gave 11*s.* for the two I understand—Mr. Stewardson's house is in the parish of St. Andrew by the Wardrobe.

AGNES ORCHARD. I keep an eating-house at Greenwich. The two prisoners came to my house on the 16th of November, about a quarter past ten o'clock—they had something to eat, and paid me 1*s.*—I gave them change—Stewardson then asked me to change a £5 note, which he produced—I said, "How came such a little boy as you with a £5 note?"—he said he had it from his uncle, who was going off in a steam-packet—I saw the dirk at Hockley's side, and asked where he got it—he said his uncle gave it to him—I said, "How can it be your uncle? you are not brothers"—he then said a gentleman gave it to him as he came along the road—I said, "I think I see something more you have got here" and I saw a box of shot—he said his uncle was a bottle-merchant, and he had picked them out of the tub—I saw Stewardson *nudge* him—my son then asked him about the dirk, and they said a gentleman gave it to them, who they did not know—I put them into the back parlour, and sent for an officer, but they jumped out of window and were gone in a moment—I am certain of their persons.

JAMES WILD. I am a policeman. Mrs. Orchard sent for me—I received the note, and dirk, and box of shot from her.

STEWARDSON*—GUILTY. Aged 14.—Confined One Year.

HOCKLEY—*NOT GUILTY.*

22. DANIEL HOCKLEY was *again* indicted for feloniously receiving of a certain evil-disposed person, 1 penknife, value 1*s.*, the goods of Edward Stewardson, well knowing it to have been stolen; against the Statute, &c.

Upon which no evidence was offered. NOT GUILTY.

Third Jury, before Mr. Recorder.

23. JOHN ARMSTRONG was indicted for burglariously breaking and entering the dwelling-house of John Laurence, at St. Matthew, Bethnal-green, about two in the night of the 27th of October, with intent to steal, and stealing therein, 4 keys, value 2*s.*; and 2 shillings, and 1 sixpence, his goods and monies.

JOHN LAURENCE. I am a shoemaker, and live in Cambridge-road, in the parish of St. Matthew, Bethnal-green. The prisoner was formerly my apprentice—I went to bed on the night of the 27th of October, about half-past ten o'clock—my servant Emma Frost secured the house—my wife touched my elbow several times in the night which awoke me—I felt a draught come on my face, and was convinced that my room door was open—she still kept touching my elbow—I looked on one side and saw somebody's face opposite my bed, close to the drawers—he was at one of the drawers—it was not light enough to distinguish his features—I jumped out of bed and seized him by the leg—he got away—I followed him down, and stood in the passage to listen where he was gone to—I did not go into the kitchen—I heard a noise and ran into the garden, where I found the prisoner, and secured him—I sent my son for a constable, who took him in charge—on going up stairs I found one of the drawers in the bed-room open, with a key in it which had been taken from my pocket, which had been at the head of my bed with four others—I missed from my pocket, what silver I had the night before, which was about half a crown—I saw the prisoner searched at the station-house—five keys were found upon him, four of which were mine, and two shillings and a sixpence—I am sure I lost as much as that—I also missed a silver watch, two gold seals, a gold key, and chain from the drawer—they not been found—I had not seen them in the drawer for a fortnight before, not having gone to the drawer—I am certain my room door was shut when have I went to bed—my wife came into the room last, but I am sure the door was shut—it could be opened from without—there is a door at the top of the cellar stairs fastened by a button—a person could come that way to the room, and I found the edge of that door and door-post scratched as if it had been *prised* open, and the corner of the button was broken off—that would enable a person to come to the stairs leading to my room—when the policeman knocked at the door, I shook the prisoner, and said, "You villian, who are you?" he answered that he was "*Jack*"—I knew his voice—he went by that name when he was apprenticed to me—it was about half-past two o'clock.

Prisoner. It was about half-past ten, or twenty minutes to eleven o'clock when I entered the house—I went up the cellar-stairs, but the button of the door was not broken off—he could not see my face, it was against the wall—he came into the kitchen where I was, and felt round, and was within four inches of me—when I got into the garden he put me into the hands of my fellow-apprentice. *Witness.* My other apprentice came down—my wife brought my trowsers and coat down—the apprentice held him while I put them on, and then I held him again till *the policeman came.*

Ervine Claxton. I am a policeman. On the morning in question I was called to the premises by the prosecutor's son, and took the prisoner in charge—the prosecutor was standing by him—I searched the prisoner at the station-house, and found 2 shillings and sixpence, and five keys on him—the prosecutor claimed four of the keys, and I afterwards received the key of the drawer—as I took him to the office, I asked him if those were the said keys he had taken from the prosecutor's trowsers—he said, yes he did, the 2s. 6d. in money—I noticed the cellar-door post, and the button—it had been broken away by some instrument.

Ann Frost. I am servant to the prosecutor. On the 27th of October I made the house secure—I recollect the cellar-door—I went down five or ten minutes before I went to bed for some wood, and buttoned the door after me—I am certain the other doors and places were secure—I saw the button next morning—part of it was broken, and the door wrenched open.

John Lawrence *re-examined.* These four keys are mine, and this one which was in the drawer.

Prisoner. I wish him asked about my character. *Witness.* I had rather not be asked about it—he once took the shoes out of my house and pawned them—I pardoned him for it—he went away, leaving part of my work unfinished, and the rest he took away, and I have never seen it since.

(*The prisoner put in a paper stating that he was in a state of starvation at the time, which tempted him to commit the offence.*)

GUILTY. Aged 22.—Transported for Ten Years.

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24. GEORGE COLBERT was indicted for stealing, on the 13th of October, 2 metal cocks, value 18*d.*, the goods of William Emar.

Elizabeth Emar. I am the wife of William Emar, and live at Hillingdon. On Wednesday, the 11th of October, I had some brass taps in our tent in a lane at Hillingdon—I missed three on the Sunday morning following, and found two at Eastcot, which corresponded exactly with those I lost, but having no private mark on them, I could not swear to them—I believe them to be mine—I have known the prisoner from a child—he was encamped in the same lane—I never knew any harm of him before this.

Hannah Smith. I live with my mother, Mrs. Gregory, who keeps the Black Horse at Eastcot. We bought a tap, a saucepan, and a pint tin pot, of a person with a basket at our bar, but I cannot swear the prisoner is the man.

William Ratcliff. I was in Mrs. Gregory's public-house at dinner—I did not see Mrs. Smith buy any thing—I saw nothing offered to her to buy—I did not see any tin pot or can offered to her—I saw the prisoner there, but did not see him offer any thing for sale—I have not forgotten what I said before the Magistrate—it was read over to me—I never said that the prisoner offered a tin pot and a tin can for sale to Mrs. Gregory (*looking at his deposition*)—I cannot say whether this is my mark—I cannot tell—the clerk read to me correctly what I stated—I never said that the prisoner offered a tin pot and tin can for sale—I said he might have offered the taps for sale without my seeing him—but I never said he offered a tin pot and can—I never saw him do so.

[illegible] Toomes. I keep a public-house at *Eastcot.* On the 26th of [illegible] t this brass tap of the prisoner.

ELIZABETH EMAR *re-examined.* This tap corresponds with what I lost, but I should not like to swear to it, having no particular mark on it.

JOHN LARKIN. I had the prisoner three days in custody—during that time an agreement was drawn up to make up Mrs. Emar's loss, but I would have nothing of the sort done, and took him before the Magistrate—as to Ratcliff, I can swear every word that is in his deposition he said before the Bench. NOT GUILTY.

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25. BRIDGET M'COY, *alias Barrett,* was indicted for stealing, on the 7th of August, 2 blankets, value 8*s.*; 2 sheets, value 4*s.*; and 1 counterpane, value 2*s.*; the goods of Mary Corcoran.

MARY CORCORAN. I am a widow, and live in Tindal's-buildings, Gray's Inn-lane. The prisoner lodged in a furnished room of mine for nine months, with a man who passed as her husband—his name is Barrett—I missed these articles from her room—they both took the room together—he said at Hatton Garden that he was not her husband, and she said they were not married—when I missed the articles, the prisoner said she could not give them to me—I had her taken, and she gave up the tickets at the office—she owes me 28*s.* rent, at 3*s.* a week.

Prisoner. *Q.* Did not you give me leave, when short of money, to pawn articles? *A.* Never—she never asked my leave, nor ever told me she had pawned them—she never pawned them before, to my knowledge.

JOHN CLARIDGE. I am shopman to Mr. King, a pawnbroker, in High Holborn. I produce two blankets and a sheet, one pawned on the 31st of August, and the other on the 23rd of October—the one on the 23rd of October was pawned by the prisoner—I do not know who pawned the other, it is so long ago—the duplicates produced correspond with the articles, and are all in my handwriting.

JAMES SMITH (*police-constable G* 79.) I received the prisoner in charge—she said she had pawned the articles through distress—I found a duplicate of one sheet in her room, and she gave up the others before the Magistrate.

Prisoner. The woman who lodged in the house pawned them with her own clothes, I sent her with them—the prosecutrix gave me a severe beating, and tore the clothes off my back, because I did not pay my rent.

MARY CORCORAN *re-examined.* I did not beat her—there was not a word of anger whatever—I did not tear her gown off, or lay a finger on her—I never gave her leave to pawn the things—I never knew that any thing of mine was pawned.

Prisoner. She knew they were in pledge, the very first article which was pawned four months ago—it is all spite, because I have not paid the rent. *Witness.* I went up to her room for the week's rent, and there was nothing on the bed but an old rag—I asked where the bed-clothes were?—she said she had them in pawn—I said, "How came you to pawn them?"—she said she did it from distress—the man was always in work, but they were so fond of drink, and the witness who is coming is one of the party.

(*Witness for the Defence.*)

MARY RILEY. I rent a room of the prosecutrix. She happened to come into my room one day and said to the prisoner, "Mrs. Barrett, if you are in distress, take and pawn the blanket off your bed, and you will feel it more than I shall"—to the best of my opinion, that was two or three months ago

—I cannot tell whether it was hot or cold weather at the time—I did not keep that in my memory, but I heard her make mention of those words—the prisoner was crying in my room about her distress, and Mrs. Corcoran said, "I cannot relieve you, but if you think proper to pawn the blanket on your bed you may."

Prisoner. Q. Were you not there one night when she came up to beat me? A. Yes—it was on a Saturday night—I cannot say how long ago—it was after the blanket was pawned—she beat her because she had not money to give her.

MARY CORCORAN *re-examined.* This witness says false—last Sunday morning she and another witness beat me, because I was coming to prosecute the prisoner, and I have got a black eye now—it was to prevent my coming forward as a witness.

MRS. RILEY. I did not strike her—the policeman can tell very different to that—she came to my house between one and two o'clock on Sunday morning—I had left her, and gone to Fetter-lane to live—she forced two policemen to my house, and had my husband, Mr. Barrett, and myself taken, and swore false against us in the morning, and Mr. Laing gave us liberty—I did not strike her.

MARY SMITH *re-examined.* Mrs. Riley and her husband lodged in the same house as the prosecutrix—they left her—she suspected they had robbed her, and gave them in charge on suspicion of stealing articles—I believe it was Mrs. Riley beat the prosecutrix in the manner she has described, but I am not quite certain, as I was not inside the house—she had no bruise when she went into the house, and she came out bruised—Mrs. Riley was taken up, but no property found—she had left the lodging the night she heard of the robbery. NOT GUILTY.

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26. THOMAS TURNER was indicted for stealing, on the 3rd of November, 1 handkerchief, value 2*s.*, the goods of Peter Von Kempen, from his person.

PETER VON KEMPEN. I live in Cottage-grove, Mile-end. On the 3rd of November I was in High-street, Wapping, at a quarter before ten o'clock in the morning—my attention was called to a public-house, and on looking at my pocket I missed my handkerchief—I saw the prisoner at that public-house, standing in front of the bar—Endersbee pointed out my handkerchief to me, and I gave it to the officer when he came.

WILLIAM ENDERSBEE. I live in High-street, Wapping. I was at my door on the morning of the 3rd of November, and saw the prisoner dodging behind the prosecutor, and endeavouring, while some horses were passing, to draw his handkerchief, but between the two horses I distinctly saw him take the handkerchief from his pocket—I believe he saw me—he went into the Queen's Arms public-house, and threw the handkerchief behind the bar—I charged him with stealing it—he took his hat off, and said, "It is my own handkerchief," meaning one in his hat—the prosecutor said that was not his—the landlady came out, and said, "Here it is, behind the stone-bottle," and the prosecutor claimed it.

Prisoner. It was found behind the bar. *Witness.* He threw it into the corner, and it went behind a stone-bottle—it was found exactly in the direction he threw it—I did not see him throw it, but I saw him take it out of the prosecutor's pocket—he was taken inside the house.

EDWARD BLANEY. I am a policeman. I got the handkerchief from Endersbee and took the prisoner into custody—another handkerchief were found in his possession.

32. ROBERT LLOYD was indicted for that he feloniously did utter, dispose of, and put off a certain forged receipt for 18*d.*, well knowing the same to be forged, with intent to defraud Edmund Pontifex and others.—2nd COUNT, stating it to be an altered receipt.

JAMES WOOD, JUN. I am clerk to Edmund Pontifex and others, of Shoe-lane, coppersmiths. The prisoner was a labourer of theirs, and went out with the cart occasionally.

JAMES PAYNE. I am receiver of the Export Dock Rates at the West India Export Docks. On the 18th of October I received 6*d.* on a bill now produced—I cannot swear it was from the prisoner—I received it on this bill for a case of goods, which was brought there, and I received 6*d.* for wharfage from somebody that brought the case—it was marked T. R. S. 49, according to this paper.

RICHARD COLE. I am in the employ of Messrs. Pontifex. I gave the prisoner three cases to take to the West India Docks—I gave him a case with this mark on it—(*looking at the invoice*)—he brought back this paper with 1*s.* 6*d.* on it—he charged me 1*s.* 6*d.*—I gave him two half-crowns.

Cross-examined by MR. PAYNE. *Q.* How long had the prisoner been in their employ? *A.* About ten months, I believe—he was generally employed as a labourer and porter, and sometimes sent with a cart—I had sent him with some cases the evening before—I then gave him a half-sovereign—he came back, and said he was too late, and returned it—I sent him with the same cases the next day, and gave him 5*s.*—he brought back this bill, with 1*s.* 6*d.* on it, and gave the change—on one of them he paid the charges—sometimes the persons we send the goods by, pay the charges—he had been employed to receive money and take goods—I passed the bill to Mr. Berry, the warehouseman—it was not shown to the prisoner at all again—he had a truck that day—he had a cart sometimes.

(The prisoner received a good character.)

GUILTY.

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33. ROBERT LLOYD was *again* indicted for feloniously uttering, on the 21st of October, a forged receipt for 2*s.* 9*d.*, with intent to defraud Edmund Pontifex and others.—2nd COUNT, stating it to be an altered receipt.

SOMERSET ALLEN. I am clerk to the St. George Steam-packet Company, St. Katharine's-docks. On the 21st of October I received 1*s.* 9*d.* on this bill—I do not know from whom—I gave it to some person who brought the articles.

WILLIAM BEEBY. I am clerk to Messrs. Pontifex and others. On the 21st of October I gave the prisoner some money to pay charges on some goods at the St. George's Steam-packet Wharf—he returned with this bill, which he gave to Cole—I gave the prisoner 12*s.* 6*d.*—he did not pay me when he came back—he paid Cole the difference.

Cross-examined by MR. PAYNE. *Q.* How many places had he to go to? *A.* Six—the Wool-quay was one of them—I cannot say whether it was our horse that he had, or a hired one—when we are busy we occasionally hire horses—Mr. Pontifex has more than one partner—I do not know more than is written over the door, which is, "William Pontifex, Son, and Wood"—Mr. Wood and Mr. Edmund Pontifex attend there.

RICHARD COLE. I am in the employ of Messrs. Pontifex. The prisoner gave me this ticket, and various others, on Monday morning as I came in—he gave me the book and wharf tickets, and said, "You can give

[illegible] to Mr. Beeby;" and he gave me 2*s.* 6½*d.*—he said, "Have you got my balance?"—I said, "No"—he said, "I must owe you one"—he [illegible] me 2*s.* 7*d.*—he only gave me 2*s.* 6½*d.*—the other tickets, and [illegible] the 2*s.* 7*d.*, make up the 12*s.* 6*d.*—I did not reckon it up myself.

William Beeby *re-examined.* On the Monday Cole came to account with me, and paid me 2*s.* 7*d.*—the amount he stated to have paid came [illegible] 9*d.*, and a letter which Cole tells me he paid for on Saturday night [illegible], making 10*s.* 11*d.*—then I required of Cole 1*s.* 7*d.*—he said, "I have [illegible] 2*s.* 7*d.*"—I said, "There is 1*s.* too much;" but after this I found a [illegible] which should have been on one of the packages, and then I sent [illegible] with it to nail it on the case, and gave him this ticket; and the boy brought it back, and said it had been altered—I gave him 12*s.* 6*d.*

NOT GUILTY.

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34. ROBERT LLOYD was *again* indicted for feloniously uttering, on the 21st of October, a certain forged receipt for 3*s.* 10*d.*, well knowing the same to be forged, with intent to defraud Edmund Pontifex and others, against Cole, stating it to be an altered receipt.

James Dawson. I am clerk at Cotton's-wharf. On the 21st of October I received 3*s.* 6*d.* on this bill, and it has been altered to 3*s.* 10*d.* since.

Cross-examined. *Q.* Are you quite certain you only received 3*s.* 6*d.*? *A.* Yes—I cannot tell from whom—the only difference between this bill and the money is 4*d.*—there is a good deal of business done at our wharf—we have to go in one way, and out another—not from the street; but the carts have to make a small circuit to go out.

William Beeby. I am clerk to Pontifex and Co. I gave the prisoner 12*s.* 6*d.* on the 21st of October—I settled with Cole the following day—there was 3*s.* 10*d.* charged by him, and this bill produced—it was necessary that the charges on this bill should have been 3*s.* 10*d.*, to make the amount.

Cross-examined. *Q.* Are you quite sure that you allowed him 3*s.* 10*d.* on this? *A.* Yes—the receipt was delivered to Cole.

Richard Cole. The prisoner gave me 2*s.* 7*d.* to give to Mr. Beeby—there must have been a charge of 3*s.* 10*d.* for this.

Cross-examined. *Q.* Did you go into the account? *A.* No.

Prisoner. These were the bills that were delivered for the 12*s.* 6*d.*—there was no deficiency of 4*d.* at all—all was right.

GUILTY. Aged 37.—*Recommended to mercy by the Jury.*

Confined Two Years.

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35. THOMAS FREEMAN was indicted for stealing, on the 30th of October, 1 coat, value 1*l.*; 1 pair of trowsers, value 10*s.*; 1 waistcoat, value 5*s.*; and 1 shirt, value 5*s.*; the goods of Francis Morris.

Elizabeth Morris. I am the wife of Francis Morris, and live in New Inn-passage, near Houghton-street. I went out about half-past seven o'clock in the evening, on the 30th of October—I returned at ten minutes before eight o'clock, and perceived my room door ajar—I had seen my property safe before I went out, and knowing that my door had been fast before, I rushed in, and found a man—I collared him, and he dropped something—he struggled with me all down stairs—at the street door he got from me, and ran off—I ran down Houghton-street after him—I am certain the prisoner is the man—there was a public-house opposite, with a strong gas light—I could see him *distinctly—I lost him turning into* Clement's

Inn—I returned home, and found a bag in the place where I saw him drop something—I found these goods in it, which are my husband's—the prisoner was brought back, and I recognised him immediately.

Cross-examined by MR. CLARKSON. *Q.* Is your husband here? *A.* No—I never saw the prisoner before—we have a gas light at the corner of our house—mine is the first-floor front room—the prisoner had a fustian coat on—I had no candle—I think it was about four minutes from the time I let go of him till the man was brought to me—he had a hat on till I lost sight of him.

DAVID RICHARDS. I am a policeman. I was on duty in Clement's-lane—about five minutes before eight o'clock I heard a cry of "Stop thief"—I ran up a court, and waited there till I saw the prisoner come up Grange-court—I ran before him—he ran into my arms—he said, "It was not me"—I said, "What made you run?"—he said, "Because others ran"—I asked him what made him so far in front—he said he was afraid of being taken—I took him back.

Cross-examined. *Q.* Did you say one word before the Justices about his being in front, and saying he was afraid of being taken? *A.* Yes—what I said was taken down and read over to me, I believe—it is not put down, but I mentioned it—I heard him deny all knowledge of it—I found on him a box of lucifer-matches and two mutton-chops.

ELIZABETH ARDEN. I saw the prisoner go into the passage at four o'clock, and three more in his company—one of them said something, and then the prisoner said, "I will be d——d if I don't have something"—one of the others made use of a bad expression, and said, "I commend your *pluck*"—I went up stairs, and was there three quarters of an hour—I then came down, and went out for half an hour—then I returned, and the prisoner was there again—I was going to Mr. Higgins, the schoolmaster, to know whether the family was at home—I saw Mr. Higgins come out; and about twenty minutes to eight o'clock I came down for a pint of ale, and brought down a bent sixpence—the publican would not take it, and I went back to my mother—as I came back I saw the prisoner with a bag, at the top of New Inn-passage, alone—his two companions stood at the corner of Newcastle-street—I saw the prisoner go to the prosecutor's door with the bag in his hand—I did not take any notice of his going in—I positively swear he is the man that went in—I saw him when he was taken—I said, "That is the fellow I have seen lurking about Clare-market for three months, in a manner he could not have been if he had been in any employment"—I went to Bow-street to ascertain if he was the same person I saw go into the house—that was before he was examined—I did not state this before the Magistrate—I was not called upon.

(*Witness for the Defence.*)

CHARLES SHIRLEY COCK. I live in Chapel-street, Somers-town, and am a butcher. The prisoner lived with me as servant—he came about eight months ago, and left me on the 2nd of October—it cannot be true that for the last three months he has been wandering about Clare-market.

NOT GUILTY.

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36. WILLIAM JONES was indicted for stealing, on the 31st of October, fourpence, the monies of George Hammond, his master; to which he *pleaded*

GUILTY. Aged 28.—Confined Four Days.

37. WILLIAM SMITH was indicted for stealing, on the 30th of October, 20lbs. weight of butter, value 25*s.*; and 1 butter-cloth, value 1*s.*, the goods of James Law.

WILLIAM BAYANT. I am servant to Mr. James Law, of Tottenham-court-road. I had some butter, on the 30th of October, in my basket, at a quarter before ten o'clock—I left it on the rails, at No. 45, Bedford-square—I did not go out of sight of it—I was about five yards from it, down an area—I heard the basket move—I looked up, and saw the prisoner lifting the butter out of the basket, and the cloth—he went off—I pursued—he was stopped in my sight—he dropped the butter—I saw it fall.

SAMSON DARKIN CAMPBELL. I am a police-inspector. I was passing in Tottenham-court-road, and saw the prisoner running, and he dropped the butter.

Prisoner. I was going through Bedford-square, a man came and gave me the butter, and asked me to carry it for him—as soon as I was going I heard a cry of "Stop thief," the man ran off, and I was taken.

GUILTY. Aged 22.—Confined Three Months.

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38. HENRY BURGESS HILLYARD was indicted for stealing, on the 14th of November, 2 coats, value 1*l.* 5*s.*; 3 pairs of trowsers, value 15*s.*; 3 scarfs, value 10*s.*; 2 yards of velvet, value, 12*s.*; 1 bag, value 1*s.*; 3 instruments called trevats, value 6*s.* 6*d.*; and 2 waistcoats, value 5*s.*; the property of George Cluff, his master.

GEORGE CLUFF. I am a silk manufacturer, living in Godfrey-row, Rockliewell-green. On Tuesday evening, the 14th of November, I found the prisoner had left my employ—he was in my employ at that time, but not previous to that—he was working in the room—I found that he was gone, and the coats and other things also—these are part of them.

JOHN STEPHENSON (*police-constable R* 56.) I apprehended the prisoner walking with a Greenwich pensioner, at Greenwich—I found a waistcoat and trowsers on his person, which are claimed by his master.

MOSES MOSES. The prisoner brought a coat to my house in the evening, and said he had been in the service of a publican at Greenwich—he wanted a little money—he changed that coat for the one he has on now, and I gave him 1*s.* 6*d.*

GUILTY.* Aged 19.—Transported for Seven Years.

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39. JOHN BROWN and ELIZABETH FITZGERALD were indicted for stealing, on the 23rd of November, 3 account-books, value 11*s.*, the goods of Benjamin Howson.

SILAS GIBBONS. I was putting up my master's shutters in Barbican, on the 23rd of November, and saw the prisoner Brown go to Mr. Howson's door opposite, and take the books, and give them to Fitzgerald—she was waiting close beside the window, within a couple of yards—I went and told and the young man ran after them—I followed him—we took them both, and took the books from Fitzgerald.

WALTER HARE. I am in the employ of Benjamin Howson. I ran, and found these books on Fitzgerald—they are my master's.

Brown's Defence. I was going along Barbican—Gibbons came and out charged me with taking books—I said I had not.

Fitzgerald. I had been with a young man all the afternoon, and he gave the books, but *it was not this young man—I found* him when I

got back to the shop—I said, when I was taken, that a young man gave me them, and he was going on before them.

SILLS GIBBONS *re-examined.* I had seen them talking together for two or three minutes before they took the books.

BROWN—GUILTY. Aged 28.
FITZGERALD*—GUILTY. Aged 28. } Confined Three Months.

Fifth Jury, before Mr. Sergeant Arabin.

40. BENJAMIN PARKER was indicted for stealing, on the 31st of October, 4 spoons, value 10*s.*, the goods of Edward Houghton, his master; to which he pleaded

GUILTY. Aged 15.—Confined Six Months.

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41. FREDERICK HAYWARD was indicted for stealing, on the 1st of November, 1 glazier's diamond, value 12*s.*, the goods of Edward Savage, his master; to which be pleaded

GUILTY. Aged 12.—(Judgment Respited.)

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42. EDWARD KEETCH was indicted for stealing, on the 17th of November, 1 truck, value 3*l.*, the goods of Joseph Roberson; to which he pleaded

GUILTY. Aged 34.—Confined Nine Months from the Expiration of his former Sentence.

(See page 1.)

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43. JAMES HORTON was indicted for stealing, on the 4th of November, 6 wooden boards, value 8*s.*, the goods of Joshua Ramsay, his master; and CHARLES WOOLFE for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.

JOSEPH CHILD. I am a labourer. On the 4th of November I saw Horton driving a one-horse cart—I believe it was in Ann's-place—I suppose a hundred or two hundred yards from Mr. Woolfe's, and a good distance from the prosecutor's—he had some boards—I suspected all was not right—I did not know with whom Horton worked—he stopped at a distance from Woolfe's house, took the boards off the cart, and took them to Woolfe's, then came and drove the cart on—I went to Mr. Joshua Ramsay, No. 36, Walbrook, whose name was on the cart.

Cross-examined by Mr. JONES. *Q.* It was not within sight of Woolfe's house? *A.* Yes it was—a person in the shop could not have seen the cart—there is written up at Woolfe's house, "Rag and Bottle Warehouse."

JOSHUA RAMSAY. I am a builder. Horton has been in my service three months as carman—I saw some boards at Woolfe's—I know them to be mine—they were taken from a shop in my yard, in Hoxton—I know nothing of Woolfe—I had ordered a load, of Horton, from my yard at Hoxton, to my house in the City, and that he brought, but no boards—I went to Woolfe's, and took a policeman, and saw Mrs. Woolfe in the shop—the prisoner Woolfe was at home, but did not hear what passed—I found my boards in a passage leading from the shop to the back premises—that was not a place to keep boards—they were put out of the shop, just outside a door leading to some back premises—I saw Woolfe—his mother said, "Do you know any thing of these boards?"—he said, "I

s brought them; I gave him a shilling for them"—he was to
e evening to see if you would give him any more—he said he
man, and saw him repeatedly pass—they are worth 8s.
xamined. Q. Do not you know that his father keeps the shop?
pose he does—I have made inquiries—these boards were new—he
d given 1s. for them—he did not say *on* them—he said before
strate that he refused to have any thing to do with them, but the
ed that he was in deep distress, and he let him have 1s., and he was
and see what more they would give him.
. I took them by mistake, and thought I would not take them
would call for them at night.
N CAMERON. I am a policeman. On the 4th of November
amsay gave information—I went with him to Woolfe's house,
Mrs. Woolfe—the prisoner came shortly after—his mother asked
e knew any thing about these boards—he said, "Yes; I gave him
the person was to call again in the evening to see if you or father
give any more"—I afterwards took Horton.
re-examined. Q. They were standing in the passage openly? *A.* They
nding in a nook leading from the room up stairs—any one passing
be likely to see them—I heard no such word as *on* them—the
trate admitted Woolfe to bail.
N WELLS. I am a policeman. I took Woolfe—he said he had
1s. for them, and the man was to call again.

HORTON—GUILTY. Aged 48.—Confined Three Months.
WOOLFE—NOT GUILTY.

THOMAS MAY was indicted for embezzlement.

. BUCHANAN. I am a laundress, and live in Old Ivy-street—my
s name is Robert. The prisoner was a servant of mine—I employed
carry out linen every week—if the customers gave him money he
bring it to me—he has done so a great many times—he ought to
counted to me when he came home.
ABETH CHAPLIN. The prosecutrix washed for me—on the 18th of
r I paid the prisoner 6s. 1d. on account of his mistress—that was the
t of the bill—he did not give me a receipt, as he could only make a

OUISE MARTIN. Mrs. Buchanan washes for my mistress—on the
October I paid the prisoner 1l. 17s. 6d.—he made his cross on this
ich I have here—I saw him mark it—the bill is "1l. 17s. 6d.,
th October."
LIAM SANDERS. I am a police-constable. I took the prisoner—he
me at his house what I took him for—I said for embezzling sums of
—he said he had taken the money and spent it—I found 4s. on him
id not tell me he had lost it.
ner. I said I knew I had not paid it, because I had the misfortune
it.
BUCHANAN *re-examined.* He never paid me either of these sums
did not come to carry the linen as usual—I sent another person, and
is out.
ner. I am sorry I did not go to her to let her know I had the
e to lose it.

TY. Aged 38.—*Recommended to mercy by the Prosecutrix.—Confined Six Months.*

45. MICHAEL WICKHAM was indicted for stealing, on the 22nd of May, 11 planes, value 1*l.* 17*s.*; 17 chisels, value 9*s.*; 1 gimlet, value 1*d.*; 1 knife, value 1*s.* 6*d.*; 1 spokeshave, value 1*s.*; 14 yards of line, value 4*d.*; and 1 saw, value 3*s.*, the goods of Thomas Wickham.

THOMAS WICKHAM, Jun. I am a carpenter, and live at Penshurst, in Kent, with my father. Our shop was broken open once in April, and on the 22nd of May the prisoner went away—there were a variety of carpenter's tools taken—the prisoner is my cousin—I did not know where he was living at the time the tools were stolen—I came to Mr. Burridge, the officer, and gave information—last month I heard the prisoner was working for a master carpenter at Sutton—this plane is mine—it is marked with my name—I have the iron it was marked with, and these planes, I believe, belong to my father—this one I know does—it has his name on it—his name is Thomas Wickham—they were lost in May from Mr. Well's shop—my father lost a great many—I did not lose so many.

Cross-examined by MR. PAYNE. *Q.* When was this large plane lost? *A.* In April, from my father's shop—I had last seen the other planes in a box in Well's shop, on the 20th of May, and when we went to work on the 22nd, the shop had been opened and the tools stolen—it is 32 miles from London-bridge—these are all the things that were lost on the 20th of May.

EDWARD HENRY BURRIDGE. I am a constable. I apprehended the prisoner on Tuesday, the 16th of October—I said I had a warrant against him for stealing tools from Mr. Wells—he said he knew nothing about it—I asked where he lived—he declined telling me—a person told me—I went to his house, and found 47 duplicates, 10 of which allude to these tools, pledged on the 22nd of May.

JAMES INGRAM. I am a cricket-ball maker. On the 21st of May I saw the prisoner within a mile of Redleaf, in the parish of Penshurst.

Cross-examined. Q. When were you spoken to to come here? *A.* I do not know—I was not before the Magistrate—I saw the prisoner in the high road leading from Croydon to Penshurst—he was going to Penshurst.

JOHN BONHAM. I am a servant to Mr. Fleming, a pawnbroker, in Whitechapel. This property was pawned, some by the prisoner, and some by a woman who passed as his wife—I did not take it all in.

Cross-examined. Q. How do you know she passed as his wife? *A.* She came and said so—these two planes were pledged by the prisoner on the 30th of March, and these two philisters on the 31st of May—these are the duplicates given.

THOMAS WICKHAM. These were in the shop of Mr. Wells.

GUILTY. Aged 47.—Confined Six Months; One Month Solitary.

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46. WILLIAM THOMPSON was indicted for embezzlement.

HENRY CHARLES KEMPSON. I am an ironmonger in Hatton-garden. The prisoner was my clerk and warehouseman—he was accustomed to receive money on my account, and ought to have accounted the first time he came to the warehouse after his round, that night or the next morning—he did not go round daily—he should either account the day he received the money, or the next morning.

JAMES ARROWSMITH. I owed Mr. Kempson money—on the 27th of July I paid the prisoner 2*l.*—on the 28th of September 2*l.*, and on the 21st of October 2*l.*—these are the receipts he gave me—(*read*)—"July 27, cash, 2*l.*"—"September 28, cash, 2*l.*"—"October 21, cash, 2*l.*"

—that was my first time, I staid here six months—it was for some ores being found in a coach-house of mine—nobody introduced me Kempson or his servant—I went there about eight o'clock in the ; of the 3rd of November—I saw the prisoner—I went again the y and did not see the prisoner—I told Mr. Kempson I had bought ders, and he said the prisoner had only accounted for four—the fit in one another—I got no receipt for the 1*l.* 6*s.*—I was not in it of having any bill—I paid over the counter as I had the goods never asked to produce them—I sold them the same day—the was not opening the shop—the porter was—the prisoner showed fenders—I took them away, and put one in another—the prisoner leave to see if the shop was opened—I paid two half-sovereigns, a illing piece, and a shilling for them—I bought six more in the oo.

BY CHARLES KEMPSON. I only received 1*l.* from the prisoner on these days, the 28th of September and the 21st of October—between ues he paid me 10*s.*—it was usual for the prisoner to put the money e till—I went to the till when Hartill came the second time—the had only put in 1*l.* 0*s.* 8*d.*

s-examined. Q. What are the prices of fenders? *A.* 1*s.* 4*d.* a hat would amount to 1*l.* 6*s.* for five, and about 1*l.* 0*s.* 8*d.* for four, ng to the measurement—the next morning I asked him if he had n any thing—he said he had sold four, and they came to 1*l.* 0*s.* 8*d.*, was 4*d.* more in the till than there should have been, and I him—on the 27th of July I received 2*l.*, on the 28th of September the 14th of October 10*s.*, and on the 21st of October 1*l.*—here books—I have an entry of the receipt of 2*l.* on the 27th —I never omitted to enter sums, that I am aware of—I returned my last journey in Kent on the 5th of August, and was five days—my wife receives money in my absence—I do not re-finding my accounts 20*s.* deficient when I returned—I did not find

told the prisoner to be very careful about dealing with hawkers—I did not know that Hartill was a hawker—I said, "Some hawkers will buy one thing and steal two"—I have been a cigar merchant and manufacturer—the business did not succeed, and I gave it up—I was never fined 100*l.* in my life—I was never charged with a breach of the revenue laws—I was never in any difficulty with the revenue laws—my nails were alway sinbags when they came from the country—my men have put them into bags—I do not know that I have ever had them returned as short of weight—I will not swear I have not—I will swear I have not more than three times—there have been complaints of the weight, and I have inquired of my man about them—it has been his fault—I compounded with my creditors in August last—I did not represent that my trade produced 16,000*l.* a year, nor 1600*l.*—I never compounded with my creditors more than once—the prisoner accounted on the 4th of November—I cannot tell how much he paid, without referring to my books—he paid me under 5*l.*, nothing like 200*l.*, on his last journey to Kent—I think he brought me on his return under 100*l.*—I find he paid nothing on the 4th of November—on the night of the 3rd I received 1*l.* 1*s.* 6*d.*, and between 10*l.* and 12*l.* out of the till—I saw most of it received.

THOMAS MARTIN. I am a policeman. I took the prisoner on the 4th of November. NOT GUILTY.

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47. MARGARET CARROLL was indicted for stealing, on the 3rd of November, 1 watch, value 1*l.*; 1 watch-chain, value 1*s.*; 1 seal, value 6*d.*; and 1 watch-key, value 2*d.*; the goods of Amelia Chilvers, now the wife of John Macarty.

AMELIA MACARTY. When I lost my watch I was single—my name was Chilvers—I kept a lodging-house in St. James's-street, St. George's-in-the East—on the 3rd of November the prisoner was hired as a washer-woman—the watch was in a chest in the bed-room—I had seen it about twenty minutes before I missed it—I went to the chest to take something out, and finding the chest ransacked, I looked, and missed the watch—I accused the prisoner of taking it, because there had been no person there but her, and she was there when I put it in—she denied it altogether—I sent for the policeman, and he took it from her right breast—she came first on the 8th of December—this is my watch.

JOHN DUFFY. I am a policeman. I was sent for, and found this watch in the prisoner's bosom.

Prisoner. I was washing, and was so exhausted that I took a drink of beer and rum, and it took such effect of me that I did not know what I did—I asked the policeman the next day what I was put in for.

GUILTY. Aged 34.—Confined Six Months.

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48. JAMES WATSON was indicted for stealing, on the 30th of October, 27lbs. weight of lead, value 5*s.* 6*d.*, the goods of George Bird.

AMBROSE CHANNER. I am a policeman. I was off duty on the 30th of October, at half-past six o'clock in the morning, and saw the prisoner on the Green in North-street, doubling something under his coat—I went and told my sergeant I should follow him—I did so—he ran, and threw some lead down—I took off my hat, and laid it on the lead—I followed him to Edgware-road, and then took him—when I came back the hat and lead were gone—I went to Luton-street, and found my hat and

the lead; and in the prisoner's pocket I found a knife—I went to Mr. Bird's plumber in North-street, and found it was his—the knife appeared to have cut lead—I matched the lead with some that was there—I have no doubt it is part of it—there are 27lbs. of it.

Mr. Bird. I am a plumber. This lead was brought to my house—I did not see it applied to any I had—I had lead of this description—I have no doubt it is mine, but I do not swear to it—it had been outside the house.

Prisoner. He will not swear to the lead, and the policeman is no judge of that—it is like putting one shilling among twenty, and then drawing one out to swear to.

GUILTY. Aged 41.—Confined Three Months.

OLD COURT.—*Thursday, November 30th*, 1837.

Second Jury, before Mr. Sergeant Arabin.

69. MARY LUCAS was indicted for stealing, on the 3rd of November, 4 frocks, value 2*l.*; 3 night-gowns, value 14*s.*; 1 apron, value 3*s.*; 1 pair of drawers, value 1*s.*; 2 pillow-cases, value 5*s.*; 1 shift, value 6*s.*; 3 pairs of stays, value 8*s.*; 2 pairs of stockings, value 1*l.*; 5 collars, value 1*l.*; 4 caps, value 2*l.* 10*s.*; 3 towels, value 3*s.*; 1 petticoat, value 4*s.*; 8 neckerchiefs, value 8*s.*; 1 scarf, value 10*s.*; 5 pairs of shoes, value 1*l.*; 19 yards of lace, value 1*l.*; 1 scent-box, value 6*s.*; 1 pair of bracelets, value 10*s.*; and 1 printed book, value 1*s.*; the goods of Charles Cunningham Young, her master.

Rebecca Young. I am the wife Charles Cunningham Young, and live in York-street, St. James's. The prisoner was my nursery-maid, and then my house-maid—she lived seven months with me—I missed various articles of wearing-apparel, and sent for a policeman—my husband and myself spoke to the other servants—all their boxes were opened—the prisoner delivered several things to me, and she was sent to her uncle—I found in her box the articles stated, which I afterwards gave to the policeman, who went next day, and took her—(*looking at the articles*)—these are all mine.

Cross-examined by Mr. Chambers. *Q.* What sort of box had the prisoner? *A.* I believe she had four boxes—they were kept in the room which she and the cook slept in together—I have not discovered that the cook was in the habit of wearing my clothes—I never saw her in my clothes—she has since left my service—a baby's cap was found, which the cook said was not in her box; and I cannot say it was, as I was not present—they slept in a room over my bed-room—the things were kept in my drawers—all the servants were present when the boxes were searched—the prisoner did not charge the cook with it in my presence—she told me the boxes were hers, and gave me the things out of them.

Court. *Q.* Why did the prisoner go away? *A.* She left the house after I found the things, without notice—the policeman came, and said the street-door was open, and I found she was gone—I had no character with her.

Charles Cunningham Young. I am the husband of the last witness—some articles were found in the prisoner's four boxes.

(The prisoner received *a good character.*)

GUILTY. *Aged 17.—Recommended to mercy.*—Confined Eight Days.

50. JOHN EUSTACE was indicted for stealing, on the 31st of October, 1 bridle, value 10*s.*, the goods of John Askew.

JOHN ASKEW. I am a flock-maker. On the 31st of October I went to my stable, in Wilson-street, Somers-town, between five and six o'clock in the evening, and found the door open—I had left it shut, but not locked, and the bridle hanging up—I went in, and felt about for my hat and coat, and put my hand on the prisoner—I pulled him out—he was quite a stranger, and had no right there—he dropped the bridle outside the stable—this is it.

GUILTY. Aged 28.—Confined Six Months.

Before Lord Chief Justice Denman.

51. EDWARD MILLS was indicted for unlawfully, maliciously, and feloniously assaulting William Tugman, on the 31st of October, at St. Pancras, and stabbing and wounding him on the left side of his face, left eye-brow, forehead, and head, with intent to maim and disable him.—2nd COUNT, stating his intent to be to do him some grievous bodily harm.

MR. CHAMBERS *conducted the Prosecution.*

WILLIAM TUGMAN. I live in Platt-terrace, Pancras-road, and have lived there nearly three years—the prisoner is a butcher—I dealt with him for nearly two years, and used to deal with him about three years ago—there was some dispute then—he said I owed him 1*l.* 2*s.* or 3*s.*, but I did not owe it him justly—he claimed the debt, and I denied it in consequence of short weight—on the evening of the 31st of October, about a quarter to seven o'clock, he called at my house—I sent my servant girl down to him—(he was in the habit of coming two or three times, and causing a confusion at the door, and raising a mob; and when we sent for a policeman he would run away)—I sent the servant girl down, and afterwards sent Charlotte Calnan down to him—I could hear her voice where I was, and, from what I heard, I went down myself, and saw him—I asked what he wanted—he said he wanted his money, and would not go away till he got it—I told him I did not think I owed him any, and if I did he must summons me—he then called me a d——d cowardly rascal, and, I believe, drew something, which I thought was a knife, but it was a steel—he made a stab at me with it in the left breast—it went through my coat and the lining against a pocket-book which I had in my pocket, but it did not touch my person—I then pushed him off the threshold of the door, and off the steps, down into the garden, where he made another stab at me with the steel, which entered my eye-brow—I had hold of him at the time—the garden is in front of the house—we scuffled down the garden, and he stabbed me again, and hit me in the temple, which threw me senseless against the paling for a few moments—it entered to the bone—I then managed to wipe the blood out of my eye, when I came to myself—it was flowing down my face and breast—I looked up, and saw his hand raised up, with the steel in it, going to make another stab at me—a gentleman, at the same time, happened to be passing—he leaned over the paling, and caught his hand, with the steel in it—I do not know who the gentleman was, he went away—I looked up, and the gentleman had hold of his arm—I had sent Mrs. Calnan for the policeman, who came—the gentleman held him till the policeman came and took hold of him, and took the steel out of his hand—he said, "Take him in charge, he has stabbed the man;" and I gave him in charge—he was taken away by the police—I went to the station-house, and gave charge of him—I then went to the

doctor, got my head and eye dressed, and went to bed—this was on Tuesday evening, and I was not able to leave my room till the Monday following.

Cross-examined by Mr. Clarkson. *Q.* The gentleman who held his hand is not here? *A.* I believe not—I am an Irishman—it was in 1834 I used to deal with the prisoner—it was about a week's bill I owed him, but I did not consider I owed him any thing, as the meat was short weight—I lived in Liverpool-street then—I did not leave there in a hurry—my goods were taken for King's taxes—I did not go from there to Platt-terrace—I went close by—I do not know whether the prisoner could not find me—I explained to him several times how much short the weight was—my servant told me the first joint wanted 1¼lb.—I know the prisoner's wife—(I am a married man)—I met her in Bagnigge-wells-road—I did not know her till she spoke to me—I had some conversation with her—I did not tell her I was not a married man—I believe she had been once, to my house for the money for her husband, but not more than once to my knowledge—I do not recollect seeing her at Liverpool-street more than once—I never met her before—I did not tell her I wished the prisoner was dead—nothing of the kind—I had no wish to see her—I had about two minutes' conversation with her—she asked me about the bill, and I told her, as we got short weight I would not pay her till she got the bill altered, and to excuse me for it—I believe that was all that passed—I do not recollect anything else—I did not ask her to go and take wine with me—nothing of the kind—she afterwards came to my house in Platt-terrace for the bill, in my absence, and also when I was at home, but I did not see her—I never told my wife, after the prisoner had been for his money, that if he came again there would be a *row*—I believe Mrs. Calnan is a beaver-cutter—I have known her five years—she lived with her father—not with any one else that I know of—she came backwards and forwards to my house sometimes—I have a brother—I have heard of a Mr. Farquarson, but never saw him—I heard that he died in 1830 or 31.

Q. When you came down stairs, hearing something passing between the prisoner and Mrs. Calnan, did you hear the prisoner was violent and calling you names? *A.* I heard him myself—I heard him say I was a cowardly rascal, and I heard him mention the words, "Stab him"—I walked down stairs quickly—I did not lay hands on him till he stabbed me with the steel—I swear that—my wife had bid me not go down stairs—she put her arms round my waist when I went into the passage, at the time I was struck—I do not recollect that it was before I was struck, for the steel passed her arm in coming to my breast—she had said, "Do not go down to that vagabond, for he is intending to do you some mischief"—I went down, thinking he was going to stab the woman—hearing him call me a d—— cowardly rascal, and hearing the word "Stab"—I thought he might stab her, not expecting he would stab me.

Q. Do you not know that your wife has paid part of the debt by different instalments? *A.* I never knew it till this transaction, and then she told me she dreaded his coming to the place—she has paid part of it, though I forbid her doing it—I would not have paid it till he got it by law.

Court? *Q.* Did you make out, from the complaint of your servant, that there was a deficiency of weight amounting to the bill? *A.* No, but his servant told me, that from *the time I commenced dealing* with him he

had always cheated me in the weight, and that he was going away next day, and did not care about him.

CHARLOTTE CALNAN. On the evening of the 31st of October I was at Mr. Tugman's—I went down stairs into the passage, when the prisoner called and found him there—he said he had come for the money for a debt—I told him Mr. Tugman said he was to go and summons him—the prisoner said he wanted his money, and would not go—I told him Mr. Tugman was out—he said "He is a cowardly vagabond—I know he is at home, and if he comes down I will stick a knife into his b—— heart"—he pulled out his steel, which I thought was a knife—he pulled it either from his sleeve or his side, I do not know which—he made a *job* and stabbed it into the wall, making use of the same expressions—I said directly, "Good gracious me, you will never be so cruel as to stab any person;" and with that I drew back—Mr. Tugman then came down stairs and told him to go along for a vagabond, and to summons him—he made a thrust at Mr. Tugman's side—I went to fetch a policeman, by Mr. Tugman's order, as quick as I could run, and found one—when I returned I saw a great mob round the door, and a gentleman over the pales holding the prisoner's hand with the steel in it—I observed Mr. Tugman bleeding profusely, standing by the side of the pales—he was bleeding from the forehead and eye—he was stabbed in three places.

Cross-examined. *Q.* You were very quiet, I take it for granted? *A.* I had nothing to do with it—I was not abusive to the prisoner, I never had occasion—I was never taken up for an assault—I was at Hattongarden on a law-suit on the Swinton estate—I was in a highly respectable family belonging to the Greek Government, and was at Brighton at the time—my father and mother lived on the estate—I was not there for an assault—I was falsely imprisoned twenty-four hours in Clerkenwell—they said I was the ringleader of the affair on the Swinton estate, and his Lordship ordered me to charge them for false imprisonment—but for want of money I could not do it—I have been a widow these six years, and have three children.

Mr. CHAMBERS. Q. I believe you rented a cottage on the Swinton estate? *A.* Yes—there was a riot in consequence of the houses being pulled down—I was at Brighton at that time, but was sworn to as being there.

ROBERT ECCLES. I am a policeman. Mrs. Calnan called me in on the night in question—I went to Tugman's house, and saw the steel in the prisoner's hand, and the prosecutor bleeding in the eye—a gentleman was holding him—I took the steel from the prisoner's hand, and produce it.

Cross-examined. *Q.* Did you find in the prisoner's pocket the leather which straps the steel round his side? *A.* Yes.

(The prisoner received an excellent character.)

GUILTY of an assault only. Aged 23.—Confined Two Years.

Before Mr. Justice Park.

52. LEONARD SMITH was indicted for unlawfully, maliciously, and feloniously assaulting John M'Donnell, on the 31st of October, and cutting and wounding him on the left side of his face, and left jaw, with intent to maim and disable him.—2nd COUNT, stating his intent to be to do him some grievous bodily harm.

JOHN M'DONNELL. I am a coal-whipper, and live in Shadwell. I am

ere in the London Hospital—on the 31st of October I was going to work with the waters—I had put a stage into the boat, to go to work—there was a stool at the water side, which it was necessary to get on—I had got one foot on the stool and one foot on the boat, and the prisoner came and pulled the stool from under me—I had given him no provocation whatever—it was not done in play—I fell into the water—when I got out, I was coming towards him, to know the reason of this, and he came towards me and struck me with an iron hammer on the left side of my face—it was an iron hammer which he used in his work—I fell from the blow, and he struck me with his fist afterwards on the eye—I got up directly, and he struck me on the nose—I did not fall then—my comrades came to my assistance—I have been in the hospital a month last Tuesday—there was no wound on the outside of my face—my jaw was broken in two places.

Cross-examined by Mr. Bodkin. *Q.* There were a great many of you, I understand, getting into the boat to go to work? *A.* Two of us were going into our own ship's boat at the stairs, which join the prisoner's premises—he is a barge-builder—he and his brother were working at a barge by the river side—the stern of the barge was near the shore, towards the boat—I think the backs of the prisoner and his brother were turned to us when we came to the stairs to get on board our boat, but I did not notice—I took the stool—I did not know whether it was theirs or not—I did not think it was any harm—it was not by their barge at the time—I dare say it was a couple of yards from it—they were not standing on it—I was stepping into the boat when the prisoner ran and pulled the stool away from under me—when I got up, I went towards him to ask what he meant, without any intention of doing any thing to him—I did not use any threatening language to him—I did not raise my clenched fist, and attempt to strike him.

James Haley. I am a coal-whipper, and a mate of the prosecutors. I was at the stairs on the 31st of October, and saw him getting on the stool, which he brought from the prisoner's barge—it was about two yards from the barge when he took it—the prisoner and his brother were not standing on it—the prosecutor had one foot on the stool and the other towards the boat, and the prisoner pulled the stool away—I saw the prosecutor on the bow of the boat, but did not see him fall—they seemed to speak together—I did not hear what they said, and saw no blow struck—I was in the stern of the boat, with my back towards them when I heard a rattle—I asked the prisoner why he did not strike him with his fist instead of the hammer, and he told me he would serve me in the same way—I had seen him at work at the barge with the hammer in his hand.

Cross-examined. *Q.* Do you mean the stool was two yards from the barge? *A.* Yes—on the causeway—I saw the prisoner pull the stool away, but did not see the prosecutor fall into the water, as I was in the stern of the boat, and the stage was in the bow—after the prosecutor came down, the prisoner was standing by the water's edge, where he had taken the stool—I did not hear what was said—they had their faces towards each other—they seemed to be talking.

Court. *Q.* After you came up near them, did you see any thing in the prisoner's hand? *A.* Yes; the hammer—I did not attempt to take it from him—he tried to run up a ladder through a shed, and I took him by the leg of his trowsers, and stopped him—he told me if I did not let him go he would knock my skull in—he had the hammer in his hand at that

WILLIAM OAKES. I am a coal-whipper. I was at work with the w nesses—I was in the boat, and had my back towards the prisoner and p secutor—I did not see any blow struck, nor the stool pulled away—wl I turned round, the prosecutor was standing up with the blood pouring of his mouth—he was stooping to let it run down—I saw the prisoner w a hammer in his hand, and saw Haley catch hold of his trowsers on ladder—the prisoner said, if he did not leave go he would serve h the same way, and knock his brains out—Haley held him till the poli man came up.

Cross-examined. Q. How many of you were about him when policeman came up? *A.* Me and Haley, *barring* his own workmates— prosecutor was gone to the doctor—I do not know Mr. Sowter, a sail-mal there, by name.

CHARLES PATTEN. I am a policeman. On the 31st of October I w to the stairs, and saw the prisoner standing by the steps with the hamn in his hand—I followed him up to his wharf, and into his kitchen— clothes and face were muddy—I asked him if he had been down in the m —he said no, he got it in his work—he had the hammer in his hand wh he went up the steps, and I saw him lay it down—his brother took it and gave it to me—this is it—there were eight or ten persons there—I o noticed four coal-whippers—the witnesses were two of them, the prosecu and another—the others appeared barge-builders.

Cross-examined. Q. Did not the prisoner say something more to yo *A.* He said something about the prosecutor having given him reason striking him, but he did not state what exactly—he said the prosecutor h his fist up in his face, and threatened to strike him, but he said he not strike him—that was the reason he gave me for having struck man.

WILLIAM GROVE SALMON. I am a pupil in the London Hospital. T prosecutor was brought there on the 31st of October, and I examined h —his lower jaw on the left side was broken in two places—the skin w broken internally, not externally—there was not a great deal of blood—o fracture was near the chin, and the other near the ear—that injury co not have been inflicted without considerable violence—I should not thi a blow with a fist would cause such a fracture—such a hammer as t would be likely to produce it—if it had struck the head with the same vi lence, it would probably have fractured the skull.

MR. BODKIN *called*

SAMUEL SOUTER. I am a sail-maker, and live in Lower Shadwe I have seen the prisoner, but never spoke to him till the day t occurrence took place—my premises adjoin these stairs—I was at t back part of my premises, and saw the coal-whippers there—I did not s them take the stool—I saw the coal-whippers in the boat—I heard so words, and turned round and saw the prisoner standing working at t stern of a barge, with the hammer in his hand—M'Donnell was then in t boat, about twenty-five feet from the prisoner—I had not seen him fall I heard him say he would knock the prisoner's b—— head off—I did n hear any thing more—immediately after that he got out of the boat, and r towards the prisoner—I do not think the prisoner could see him coming, a I called out, "Smith, Smith, the man is coming to strike you"—I only kn his name by hearing others call him so on the wharf—he had been there th *weeks—the prisoner* turned to the left under the stern of the barge, and I s *the prosecutor's left* arm extended, and his right up, in the act of striking

I should suppose, from the appearance, that he had hold of the prisoner, but I could not see his other hand, it was extended—whether he had hold of the prisoner I cannot say—I then saw the prisoner inflict a blow with the hammer in his hand—that was while the prosecutor was standing with his hand in the position I have named—the prosecutor was upon him, almost before I had got the last word out—it was done immediately.

Cross. *Q.* You have known the prisoner about three weeks? *A.* Rather only—I have often seen him—I understand his brother is in partnership with him—I am quite sure the prosecutor was in the boat, but I cannot say to the other two—the witnesses are the other two men—I cannot say whether they were in the boat with the prosecutor—I saw them after the disturbance—there were others in the boat with the prosecutor—I had been on the wharf some time, but did not look that way till I heard noise.

JAMES HALLEY *re-examined.* I did not see the prosecutor in the boat—when he stepped from the stool he had one foot on the gunwale, but was not in the boat—he never stepped into the boat—there was a stage in the bow of the boat, that would not prevent my seeing the barge where the prisoner was at work.

DANIEL SOUTER *re-examined.* I think the prosecutor was near the bow of the boat, but I did not take particular notice—the moment he fell he got out of the boat.

GUILTY of an assault only. Aged 26.—Confined One Year.

Before Lord Chief Justice Denman.

53. ELIZABETH HOUSEMAN was indicted for feloniously forging an acquittance and receipt, for the sums of 4*s.*, 10*s.* 2½*d.*, 7*s.* 2*d.*, and 5*s.*; with intent to defraud Henry Levy.—2nd COUNT for uttering the same; well knowing them to be forged.

MR. JERNINGHAM *conducted the Prosecution.*

SOPHIA LEVY. I am the wife of Henry Levy, and live in Albany-terrace, Regent's Park. The prisoner lived with me as cook for nineteen months—I employed her to pay the weekly bills to the tradesmen regularly, during the whole period—the bills were generally delivered to me on Tuesday or Wednesday, and on the Wednesday week I gave her the money to pay them—(*looking at a bill*)—this bill of Mr. Sadler, the cheesemonger, was brought to me—I gave it to the prisoner again, and she brought it to me again with the words "Paid, Sadler," on it, at the end of the week—I had given her money to pay this bill with a variety of others.

Cross-examined by MR. PAYNE. *Q.* Have you any distinct recollection of having received this bill from her, it was in 1836? *A.* Yes—I never received bills from anybody but her—the different amounts are put on a sheet of paper, and I give her the money for them—I never saw her handwriting, and cannot say whose this receipt is—she left me on the 3rd of October—she has been living since close to my house.

CURRY. *Q.* You do not recollect that bill particularly? *A.* No—I always gave her the money for the weekly bills as I received them from her—I file them—I believed these words, "Paid, Sadler," to be a receipt, as no application was made to me for the money afterwards.

MR. PAYNE. *Q.* Had you other bills from Sadler before? *A.* I had one weekly—his former bills were *receipted by him himself*—I do not know they had *a small s on them.*

STEPHEN SADLER. I am a cheesemonger, and live in Frederick-street, Regent's Park. I supply Mr. Levy with articles—this is a bill I sent in to Mr. Levy—I made it out myself—the words, "Paid, Sadler," at the bottom are not my hand-writing, nor the writing of anybody in my employ—I authorise nobody to receipt bills for me.

Cross-examined. *Q.* Did you ever sign any bills "Paid, Sadler," with a little s, and no christian name to it? *A.* No—all my bills have my initial to them, S. Sadler—I cannot say whether I delivered these articles myself—I have other persons in my employ, but at that time I cannot recollect—it was in October, 1836—I had a boy—I cannot speak exactly to having one during those four weeks, but I have had a boy to carry out goods, and he has delivered them at Mr. Levy's, but nobody was authorised by me to receipt bills.

MR. JERNINGHAM. *Q.* Have you ever received that money? *A.* Never—bills were paid after this, which I gave receipts for, and I wrote a letter requesting the payment of this bill.

HENRY LEVY. I am the husband of Mrs. Levy. I was present at the prisoner's examination—I saw the Magistrate sign the deposition—I was at a distance from him, and cannot say that this is the paper which he signed—(*looking at the deposition*)—I cannot tell his hand-writing.

MRS. LEVY *re-examined.* Here are all Mr. Sadler's bills which I had from him before, and they came to me receipted through the prisoner's hands—(*these were signed, Paid, s. Sadler.*)

JURY *to* STEPHEN SADLER. *Q.* When you received the next bill did you say there was a former bill due? *A.* No, because there were about thirty-five bills all forged—I received bills afterwards, and stated that this was still due—the prisoner said they would pay the old bill in the course of two months.

GUILTY of uttering. Aged 27.

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54. ELIZABETH HOUSEMAN was *again* indicted for forging and uttering an acquittance for the sum of 3*s.*, with intent to defraud Henry Levy.

SOPHIA LEVY. The prisoner was my cook for nineteen months—I employed her to pay tradesmen's bills—I dealt with Mr. Luckie, a poulterer—this bill was sent in to me, and I gave the prisoner the money for it—she returned the bill to me with this signature, "G. Smith," on it—I had had a variety of Mr. Luckie's bills receipted in the same way, and concluded Smith was in his employ.

Cross-examined. *Q.* Have you any recollection of having given her money to pay that particular bill? *A.* I used to take down the different amounts of the bills on paper, and give her the money—I am quite certain I gave her the money to pay that, and she brought it to me as paid—I was not in the habit of paying bills at the shop—the money was given to her weekly to discharge the bills—she might go to the shops to pay them if she felt disposed.

HENRY LUCKIE. I am a poulterer in Great Portland-street. I was in the habit of supplying Mr. Levy with poultry—this bill was made out by my young man who is here—here is "Paid, G. Smith," to it at the bottom—I did not sign it, and never authorised any body in my employ to sign it—I have no such person in my employ—I never received the money.

Cross-examined. Q. Who was authorised to receive money at your shop? *A.* Peermand and Lowe.

EDWARD PEERMAND. I am in Mr. Luckie's employ—I made out this bill—the words "Paid, G. Smith," are not written by me—I never received the money—it is not the hand-writing of either of Mr. Luckie's servants.

Cross-examined. Q. How many persons has Mr. Luckie in his employ? *A.* Seven; only one besides myself attends to the shop—the others carry out goods, and receive money if it is paid them—but this is not the hand-writing of any of them.

GUILTY of uttering. Aged 27.—*Recommended to mercy by the Prosecutor.*
Transported for Fourteen Years.

Before Mr. Justice Park.

35 REBECCA KERR was indicted for stealing, on the 28th of October, at St. Ann, Westminster, 4 £5 Bank notes, the property of John Charles Schwieso, her master, in his dwelling-house.

MR. CHARLES SCHWIESO. I am a harp manufacturer, and live in Soho-square, in the parish of St. Ann. The prisoner was in my service for a week as nursery-maid, and was discharged on Saturday, the 28th of October—she left about ten o'clock in the morning, and about ten minutes after she was gone, I missed four £5 notes from my waistcoat pocket—I had seen them there the night before, when I went to bed, and had put my waistcoat under my coat upon the sofa in my bed-room—the prisoner had come into my bed-room about seven o'clock on the Saturday morning, to dress the little child—I was in bed then with my wife—I had hand-bills printed, and searched every where, but could not find her that day—in consequence of information on Sunday evening, between eight and nine o'clock, I went to Mrs. Tabbs, in Windmill-street—I waited three quarters of an hour, and the prisoner came in—I asked her what she had done with my money—she said she never saw my money—Harwood, the policeman, who was with me, asked her to give up the keys of her box—she gave them to him, and I saw him open it and take out two £5 notes.

Cross-examined by MR. PAYNE. Q. Did you accuse her of having taken your Bank-notes? *A.* Yes—she at first said she had not—she said she found the notes in the passage of the house—she gave up the key of the box immediately—I was not at all in embarrassment at the time or in difficulties—I had a bill of 20*l.* to pay, and put this by to take it up next morning—that was why I put it into my pocket.

MRS. TABBS. I live in Husband-street, near Little Windmill-street—the prisoner lodged with me for a week before she went into the prosecutor's service—she came to me on the Saturday morning that she left the prosecutor—(she came first on the Friday, and I recommended her to a situation at Mr. Creighton's, in Little Windmill-street, and she went there on Saturday morning) on Sunday afternoon she came to me, and said she had found a £5 note, and asked me what she was to do with it—I told her to keep it till next day, as most likely it would be advertised—she was going to put it in her bosom—I said it was a very unsafe place, I would take care of it for her, and I kept it for her till Monday morning—I had an old box of her's at my house, but no clothes in it—her boxes were at her situation in Windmill-street—I gave that note to the policeman on Monday morning—I am sure it was the *note I received from her.*

MR. HARWOOD. *I am a policeman. On Sunday evening* I went to

that what he said might be given in evidence against him, but he still gave me the information, and in consequence of that I took the two prisoners—Minchell had not been apprehended before that—this waistcoat was given to me by a pawnbroker in Turnmill-street.

Cross-examined. *Q.* Whose shop were you called into? *A.* Coleman's, a cheesemonger, in Ironmonger-row—he said, "Here is a boy has got some stolen property, and I wish you to take cognisance of it," and this property was in his possession.

MRS. BIRD *re-examined.* This is my husband's coat.

Jones. Minchell stole a coat a little while ago, and pawned it for half a crown.

JAMES WATTS. I am a policeman. I have a certificate of Jones's former conviction, which I got from Mr. Clark's office—(*read*)—I know him to be the boy.

(Miller received a good character.)

JONES*—GUILTY. Aged 15.—Transported for Fourteen Years.

MILLER—NOT GUILTY.

First Jury, before Mr. Recorder.

57. HENRY BROOKS was indicted for feloniously forging and uttering an order for the payment of 28*l.* 19*s.* 6*d.*, with intent to defraud George Minter; to which he pleaded

GUILTY. Aged 24.—*Strongly recommended to mercy by the Prosecutor, being rather lame, having lately lost his father—and his mother, having a large family.*—Transported for Seven Years.

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58. MARY CATTERNS was indicted for stealing, on the 2nd of November, at Paddington, 2 shifts, value 3*s.*; 1 bed-gown, value 1*s.* 6*d.*; 1 pair of stockings, value 1*s.*; 1 shawl, value 1*l.*; 1 gown, value 8*s.*; 1 petticoat, value 2*s.*; 1 apron, value 4*s.*; 1 collar, value 1*s.*; 3 yards of net, value 1*s.*, the goods of Martin Taylor: 1 coat, value 4*l.*; 2 shawls, value 4*l.*; 1 shirt, value 10*s.*; 1 gown, value 10*s.*; and 1 pair of gloves, value 1*s.*; the goods of George Edward Maddeley, in his dwelling-house; and that she had been before convicted of felony.

MARTHA TAYLOR. I am servant to Mr. George Edward Maddeley, of Bayswater-terrace, in the parish of Paddington. On the 2nd of November I went up stairs to a room in the house, at half-past ten o'clock in the morning, and in consequence of what mistress said I looked under the bed, and found the prisoner lying under the bed—I went down stairs, and mistress called in a policeman—I then missed the prisoner from under the bed, and found her in the coal-cellar—she had several things in her possession, in a bundle—there was a gown and petticoat of mine, and a pair of stays of mistress's, among other articles.

HERBERT PRIDDON (*police-constable T* 70.) I was called into the house, and went up to the bed-room, and under the bed I found a bundle containing various articles—I also found a petticoat, a pocket, a pair of scissors, a pin-cushion, and 2*d.* in money—the prisoner said it was her pocket.

MARTHA TAYLOR *re-examined.* I have looked over these articles, part are mine, and part my master's—mine are worth 2*l.* 10*s.*, and my mistress's 8*l.*—some of them were in my mistress's wardrobe, and the rest in my box.

PETER GLYNN (*police-constable D* 151.) I was present when the pri-

[illegible] was convicted here in August, 1836—she is the person mentioned in the certificate, which I got from Mr. Clark's office—(*read.*)

GUILTY.* Aged 19.—Transported for Ten Years.

(There was another indictment against the prisoner.)

ANN LANE was indicted for stealing, on the 27th of October, at St. Pancras, 1 writing-case, value 1*s.*; 1 sovereign, 1 half-sovereign, and 4 Bank-notes; the goods, monies, and property of Peter M'Kone, her master, in his dwelling-house.

PETER M'KONE. I live in Great George-street, in the parish of St. Pancras. I keep the house—the prisoner came into my service on Monday, the 23d of October—she did not sleep in the house, but used to come in the morning—on Friday morning she came between seven and eight o'clock—I was sleeping on a sofa in the front kitchen—I found her rummaging a drawer, and told her to go up and light the parlour fire—she laid the fire, but did not light it—I had two £5 notes, a sovereign, and half-sovereign in a red morocco box, which I had seen over night in the table drawer, in the kitchen—the box was locked—the prisoner was rummaging in the drawer, which made me turn round to ask what she did there—she said she wanted some wood to light the fire—I said, "Go up stairs and light the fire, do not make such a noise here"—she went up and decamped—I missed my box—I went to look for her, and met her father and mother—they begged two hours' grace—I traced the notes, and have the Bank clerk here—they gave me notice that the notes came into the Bank—nobody knew of the money being in the box, to my knowledge, but myself and my wife—the prisoner was in the kitchen when my wife put the money into the box, but whether she saw her put it in, I cannot say—I saw my wife put it in, lock the box, and give me the key—the prisoner did not give me any intimation that she was going—I found her on Saturday night, getting out of a cab, to go into her father's house—she ran away as hard as she could—a gentleman knocked her down, and as she was getting up, I came up, and gave her in charge—when she was with me, she had scarcely any thing to wear—my wife gave her a shawl, and shoes and other articles, and when I took her she was well dressed—she had new stockings, a new gown, new shawl, and bonnet, but before she had nothing to cover her, and could not get any thing.

Cross-examined by MR. PHILLIPS. *Q.* Surely she had some clothes when you hired her? *A.* She had but very trifling—she was with me from the Friday—there are ten rooms in my house—my wife slept in a bed-room at the top of the house—I had the gout, and was unable to go up stairs, and had a bed on the sofa—I was out once or twice in the course of the afternoon, but I do not think I was half a mile from my house—I came home about three o'clock, and did not go out after, as I was not able—I believe I went to bed about ten o'clock—my wife made my bed for me, so I staid to see me into bed—the prisoner let herself in in the morning—I left the room door on the latch for her—she had the key of the street door, which was locked—I have three ladies and two gentlemen lodging in my house—I have Judge Talfrey's widow lodging with me—I had no quarrel with the prisoner.

FREDERICK WILLIAMS (*police-constable S* 144.) I received the prisoner originally from the prosecutor, in Phœnix-street, Somers-town—I had been out all the day previous looking for her—a female *searched* her at the station-house—I saw some *of the clothes she wore, and she had a bundle*

there, I searched her, and in her pocket I found 1*s.* 6*d.* good money, and six sixpences in a little bit of rag, concealed in a private part of her person.

EVAN DAVIS (*police-constable G* 122.) I produce this shilling which I received from Mr. Swannell—I was at the station-house—before the prisoner was searched I told her she had got some bad money about her—she said, "No."

JOHN FIELD. I am inspector of coin to Her Majesty's Mint. This shilling is a bad one, these six sixpences are all bad, and the others also, and they are all cast in the same mould.

GUILTY. Aged 52.—Confined One Year.

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61. JAMES MOORE, *alias Bowyer*, was indicted for a misdemeanor.

MESSRS. BODKIN *and* DOANE *conducted the Prosecution.*

WILLIAM FRANCIS JOHNSON. I am a butcher, carrying on business in the Edgeware-road. On the afternoon of the 19th of October, the prisoner came to the shop for a beefsteak—it came to 4*d.*—he gave me a half-crown—it was a bad one—I told him it was bad, and asked him if he had any more—he said no, he had not—I asked where he got it—he said, "For holding a horse"—I asked him where he lived—he said, "Pimlico"—I sent for a policeman, who took him into custody—I marked the half-crown, and gave it to the policeman.

SAMUEL DILLON (*police-constable D* 92.) I took the prisoner, and received the half-crown from Johnson—the prisoner gave me the name of James More, No. 6, Eaton-lane, Pimlico, and I went there, and no such person lived there—he was discharged on the 26th of October.

EDWARD JAMES GILLETT. I am servant to Mr. Lloyd, a printer, of Broad-street, Bloomsbury. On the 28th of October the prisoner came to the shop for half a sheet of writing paper—I gave it him—he gave me a shilling, which I gave to my master, as I thought it was a bad one.

EDWARD LLOYD. I am the master of Gillett. On the 18th of October my boy gave me a shilling—I gave it to the policeman—I came down stairs to the shop, and saw the prisoner there—I said it was a soft one, or a bad one, and I should send for a policeman, which I did—I asked the prisoner if he had any more—he said I might search him, if I pleased—I cut the shilling in half, and gave the two halves to the policeman.

CHARLES HENRY BAGNELL (*police-constable F* 31.) I was on duty in Drury-lane, and was called by Mr. Lloyd, and took the prisoner—he said he lived at No. 6, Eaton-lane, Pimlico, and his name was James Bowyer—this is the shilling, it is cut in two pieces.

JOHN FIELD. These are both counterfeit coins.

GUILTY.* Aged 18.—Confined One Year.

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62. WILLIAM WHEATLEY was indicted for a misdemeanor.

MESSRS. BODKIN *and* DOANE *conducted the Prosecution.*

GEORGE LUSSIGNEA. I am shop-boy to Mr. Simmons, of Bethnal Green-road. On the 13th of November I was at the shop-door—I had some stockings hanging up for sale—the prisoner came up, and asked me the price of the stockings—I told him 1*s.*—he asked me if I had not got any cheaper—I said we had some cheaper, but they would not fit him—he came in and bought a pair, which came to 1*s.*, and gave me a five-shilling piece—I went and gave that to my master—my master came out, and he

asked the prisoner where he got it from—he said he earned it that day in Spitalfields—my master said it was a bad one—I fetched the policeman, and when I came back the prisoner and my master were gone.

William Simmons. I am the master of George Lussignea. I took the crown-piece from the boy—I put my arms across the door, and the prisoner struck one of my arms down—I turned to close with him—he struck me on the stomach, and got away—I lost him—I gave the same crown-piece to the policeman.

Jane Bradley. I keep a tobacconist's shop, in Patrick-row, Bethnal Green. On the 14th of November, in the dusk of the evening, the prisoner came for half an ounce of tobacco and a pipe—they came to 1½*d.*—he tendered a five-shilling piece, which he laid down on some pieces of paper—I observed it was a very bad one—I stepped into the back-room, and gave it to my little girl, and sent her to the public-house—I told him it was a bad one—he said he did not know it—I stood between him and the door, and he wished to go away—he said he would find a sixpence—I observed that the policeman would soon be fetched—Mr. Davis, the publican, came in, and the prisoner was stopped—he tried to escape.

Sarah Bradley. My mother gave me the crown-piece to give to Mr. Davis.

John Davis. I gave her the crown-piece back, and followed her over the way—I saw Mrs. Bradley mark it, and give it to the officer.

Joseph Crow (*police-constable K* 151.) I went to the shop, and took the prisoner—I got this crown-piece—I then went to Simmons, and got this other crown from him.

Mr. Field. These are both counterfeit, and from the same mould.

GUILTY. Aged 22.—Confined Six Months.

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63. WILLIAM COOPER was indicted for a misdemeanor.

Messrs. Bodkin *and* Doane *conducted the Prosecution.*

Martha Grove. I am the wife of Samuel Grove, a tobacconist, in Well-street, Mile-end New Town—between six and seven o'clock on the evening of the 6th of November, the prisoner came to the shop for a quarter of an ounce of tobacco—I served him—it came to 1*d.*—he gave me a shilling—I found it was a bad one—I told the prisoner so when my little girl came back, whom I had sent to get change—he said, "What is that to you?" or he did not know it, or something—I sent for my husband, who asked him where he got it from, and where his father and mother lived—he gave no other answer than a little *sauce*—I advised my husband to box his ears, and then he ran away—I did not give the shilling to the policeman till the next night.

William Lawrence. I am a green-grocer, and live in Black Lion-yard, Whitechapel. About half-past five o'clock, on the afternoon of the 6th of November, the prisoner came to my shop, and wanted a pennyworth of onions—I served him—he gave me a bad shilling—I asked him who sent him—he said his mother—he told me he lived in Union-street—he did not give me any number—I took him to the constable, Rourke—he gave no account then—I asked him what was the number of the house—he said he did not know—he said he did not know where he did live—afterwards told me No. 10, Fashion-street—I went there, and found a respectable butcher there—they knew *nothing about him at all*—I gave the policeman.

BARNARD ROURKE (*police-constable H* 47.) I took the prisoner, and got this shilling from Lawrence—I got another shilling from Martha Grove.

MR. FIELD. These are both counterfeit, and both from the same mould.

GUILTY. Aged 11.—Confined One Year.

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64. JOSEPH MORTIMER and WILLIAM HALL were indicted for a misdemeanor.

MESSRS. BODKIN *and* DOANE *conducted the Prosecution.*

WILLIAM REYNOLDS. I am a licensed victualler, and live on Primrose-hill, Salisbury-square. At six o'clock in the evening of the 10th of November, the prisoners came for two 1½*d.* worths of gin and peppermint, which came to 3*d.*—Hall gave me a half-crown in good money—I was about to give him change, and the other said it was not worth while to change a half-crown, he had got a sixpence—he *chucked* down a sixpence, as he pretended, but it was a half-sovereign, a very good one—Hall said it was a half-sovereign, and asked if he knew what he was about—Hall said, "Give it him back again"—Hall then gave me this half-crown, and I gave him 2*s.* 3*d.*, and then they went away in such a hurry that I thought there was something amiss—I looked into the till, and it was a bad half-crown—there was no other silver in the till—I gave them the 2*s.* out of my pocket—I went to the door, but could not see them.

Cross-examined by MR. PHILLIPS. *Q.* Did you go as quick as you could? *A.* Yes—I do not recollect that I ever saw either of them before—they might be five or ten minutes in my shop—not twenty minutes—there was no one else in the shop that knew any thing about it—there was no one else at the bar—my wife was sitting in the bar, reading the paper, but she did not notice them—she was on one side of the bar, sitting by the fire, and they on the other—there was no bar-maid—they might be a yard or two from her—there was nothing to prevent her seeing them, if she chose to look up—I cannot tell how Hall was dressed—I can only tell him by his features—I did not notice his cravat—I will not swear whether it was black or white—I did not notice whether he had a hat or cap on.

MR. BODKIN. *Q.* Did you look at the countenances of the men? *A.* I did—I saw them again in about five days—as soon as I saw them I knew them again—they are the same persons.

JANE VINCENT. I remember the prisoners coming to my house on the 16th of November, about nine o'clock, or a few minutes past, at night—Hall asked for a pint of beer—I served them—Mortimer gave me a half-crown—I gave 2*s.* 4*d.* change for it—one of them said, "What did you change half-a-crown for? I have got sixpence"—I gave the half-crown back, and Hall put his fingers into his waistcoat pocket, and threw down a half-sovereign—I said, "Are you aware this is a half-sovereign?"—Hall began to abuse his friend, and said, "It is your bother; you made me give a half-sovereign for sixpence"—he said, "Never mind, take the half-crown;" and Mortimer put down the half-crown—it was Mortimer gave me both half-crowns, and Hall gave me the half-sovereign—when I looked at the half-crown given me the second time, I said, "This is a very bad one"—I called for Mr. Reeder, and gave him the half-crown—the watchman was called in, and they were taken.

FRANCIS REEDER. I am a licensed-victualler, and live in St. Mary-Axe. *Jane Vincent* gave me the half-crown—I saw the two prisoners

come in on the 16th of November—I gave the half-crown to the officer, Rigmsford.

JOHN RIGMSFORD. I took the prisoners, and have the half-crown—I searched Mortimer first, and found four shillings and two sixpences in good money—on Hall I found two half-sovereigns, seven shillings, and four-pence-ha'penny in good money—while I was searching him, Mortimer made his escape, and was brought back by the watchman.

Mortimer. I was never in Reynold's house at all.

JOHN FIELD. These are both counterfeit, but not from the same mould—a mould of this kind would not last above an hour or two.

Cross-examined. Q. Still a great many may be run in that mould? A. Yes, perhaps twenty or thirty—I am not aware that I ever took a bad half-crown in my life—I think an innocent person might take this one—I am sure that this is a bad half-crown—it has never come to my knowledge that an officer of the Mint has sworn to a coin as being of base metal, and it was found, on breaking it, to be pure metal.

MORTIMER*—GUILTY. Aged 38.
HALL*—GUILTY. Aged 22.
} Confined Two Years.

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6. MARY ANN PEACOCK was indicted for stealing, on the 8th of November, 1 pair of half-boots, value 4s., the goods of Thomas Steel.

THOMAS HEDGE. I live in No. 65, High Holborn, and am servant to Thomas Steel. At half-past three o'clock on the afternoon of the 8th of November, the prisoner came to the shop, and asked for some half-boots—I took one pair to her, and tried them on—I gave her three pairs to look at—I missed a pair on the left of them, which I had hung over a rail—I observed a piece of string, with which they were tied, under her shawl—she then sent me to the window to get some light boots—I went out, sent the boy for a policeman, and when I saw him come back with the boy I picked up a pair of boots that she purchased—she gave me a half-sovereign—I gave her 5s. 6d. change; and when she went out I gave her in charge—the officer found two pairs on her, one rolled up in paper, which she had purchased, and the other pair under her shawl—she said she did not know that she had them, she thought it was her old boots, and that she had had a bad fever.

Cross-examined by Mr. PHILLIPS. Q. Did you say at the police-office that she tried one pair before you observed this string? A. I did—what I said was taken down—I do not remember that I stated that she said she had a fever—the policeman did, I think, but I could not swear it.

THOMAS SIMPTER (*police-constable E* 43.) I took the prisoner, and found this pair of boots, and another pair in paper.

Cross-examined. Q. Did she not seem very much surprised? A. She did—what I said before the Magistrate was taken down.

COURT. Q. What did she say? A. She said she had not the slightest notion she had the boots, but she thought it must be thinking it was the old boots that she took off; she said she had had a bad fever, and had made a great many mistakes since that.

(The prisoner received a good character.)

GUILTY. Aged 30.—*Recommended to mercy by the Jury.*
Confined One Month.

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7. WILLIAM JOHNSON was indicted for stealing, on the 23rd of [illegible] 22lbs. weight of *potatoes, value 1½d., the goods of* Thomas [illegible]ster.

THOMAS COWLING. I live at Dagenham, in Essex, and am a farmer. On the 23rd of September the prisoner was employed by me as a porter and salesman—Richard Lee was then my servant—he is not so now—the prisoner used to sell for me till I came to the market—I sent the prisoner that morning 20½cwt. of potatoes, and after we had done selling, "Well, *Bill*," says I, "you had 20½cwt. this morning"—"No, master," says he, "I only received 14½cwt."—I said, "This is strange, when I sent 20½cwt." the other 6cwt. would weigh about 670lbs.—he did not pay for that—he accounted for the rest—I went home and spoke to Lee—I gave Lee 20½cwt. to give him, and he accounted for the rest.

Cross-examined by MR. PRICE. *Q.* You are a very large potato merchant? *A.* Middling—I sell perhaps betwixt one and two hundred tons in a year—I have known the prisoner about four months—my son is not here—he was before the Magistrate, but he never spoke a word—he had transacted business for me till September, but he had nothing to do with this—I was not present when the prisoner received these potatoes—my son often sent potatoes to the prisoner previous to the 1st of September, but he was always up the same day—he takes a very active part in the business—he has not received any profits since September, to my knowledge—Lee was a carman of mine—I have more carmen—West is the man that took them up out of the ground—the prisoner is not a servant of mine, but an independent porter and salesman—when the potatoes are delivered to the prisoner I have done with them, but I am to have the money—as soon as I come I take the sale—I delivered them to him to sell part of them—when they were not sold we left them in the market, in the prisoner's charge, to be sold the next market day—when I deliver a quantity of potatoes to the prisoner I expect they may be all sold—I am generally there before all sold—I was up by six o'clock in the morning on this day, and they are about 10cwt. I should think were sold—I settled with him about eleven o'clock—I lost my weights the same week—I think it was before the potatoes were sent—my son is very busy, and we did not know he was wanted—he is well acquainted with the prisoner—the prisoner was not a servant of mine—he had the entire control of this property in his care to dispose of—I never could find any difference between the weight of a bushel of large and small potatoes.

COURT. *Q.* How do you know it was 20½cwt? *A.* We took them by the measure—it could not vary 20lbs.—it is not possible we could be deficient of 6cwt.—when I send them they are sent to the prisoner to sell for me; and when he he has sold them they are no longer my property, but I look for the money.

RICHARD LEE. I am in the prosecutor's employ. On the 23rd of September I went up with a load of potatoes—I had five sacks—each sack contained 2cwt., and twenty-one sieves, with 1½cwt. in each—I delivered all I received at home to the prisoner, except three sacks which he had nothing to do with.

Cross-examined. *Q.* Who do you receive the potatoes from? *A.* James West—I had three sacks beside—I delivered one to Mr. Topps—I cannot think of the names of the others—I delivered them where my master told me—I know the house, but I do not recollect the name—I do not know whether the prisoner is in a large way of business—I do not know whether the stock of potatoes he had about him was large—I did not see any other *people's potatoes* delivered while I was there.

COURT. *Q.* Are you sure you delivered the five sacks and the sieves to the prisoner? *A.* Yes; and the other three to the other people.

COURT to THOMAS COWLING. *Q.* Where were these three sacks to go to? *A.* To the Commercial-road.

JAMES WEST. I live at Dagenham. I was employed to dig up these potatoes on the 22nd—thirteen sacks were delivered to the carter, five sacks for market, and twenty-one sieves and three sacks were to be left on the road—they amounted to 20½cwt., beside the three sacks—I saw them on the cart on the 22nd of September, late at night—I delivered them to Lee—there was as near 20½cwt. as I could pack them up—I did not direct him where to take them.

Cross-examined. *Q.* What size were they? *A.* A fair size—they were sorted—the small ones picked out from the big—I did not see them washed—they were shaw potatoes.

(The prisoner received a good character.)

GUILTY. Aged 27.—*Recommended to mercy by the Jury.*

Confined Three Months.

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67. CATHERINE LEWIS was indicted for stealing, on the 24th of October, 1 shirt, value 2*s.*; 1 towel, value 2*s.*; and 1 pair of stockings, value 1*s.* 6*d.*; the goods of Joseph Eglin.

MARY EGLIN. I am the wife of Joseph Eglin, and live in Mather's-court, Upper Whitecross-street, St. Luke's. I took the prisoner for a few days—she went away on Thursday morning, the 24th of October—I missed a shirt, a towel, and a pair of stockings that day—I have seen them since—they are mine—she did not come back.

Prisoner. She said if I wanted a few things I might take them; and I went to my husband to see if I could get money to redeem the things—I saw Mr. Eglin, and asked him if he had seen my husband—I said, if you have, you must keep 2*s.*, as I had a pair of stockings and a shirt: and then I went to my husband in the Borough to get the money.

NICHOLAS LEDWICK. I am a City constable. The prisoner was given into my custody on the 26th of October—when she was brought in custody she was in a most destitute condition, and had only been discharged by proclamation on the 20th of that month—she had attempted the life of her child—I took her into custody and implored her to tell me truth—she declared most solemnly she knew nothing of it—I said in going along, "Why did you give way to drink?"—she then told me, that this article, which is a foreign towel, she had got a man to pawn, and if I went to her lodgings I should find a duplicate on the mantel-piece—on the day of the second examination she called me and said, "It is useless to disguise the fact about the shirt, it was pawned for 1*s.*; if you go to the prosecutor's room, you will find the duplicate behind a box"—which I did, and got it

GUILTY. Aged 43.—Confined Six Months.

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68. WILLIAM BEAUMONT was indicted for stealing, on the 10th of November, 1 window-guard, value 2*l.*, the goods of William Hindley.

WILLIAM HINDLEY. I keep a cheesemonger's shop in Gray's-Inn-lane. I missed a window-guard about seven in the evening of the 10th of November—this is my guard.

JOHN THOMPSON. I live at No. 151, Saffron-hill. The prisoner lodges [illegible]—he brought this *guard to my house on the evening of the [illegible]ber, and asked me to take care of it till next morning.*

JOHN DAVIS WHITE (*police-constable G* 46.) I took the prisoner, and have brought the guard here.

GUILTY. Aged 19.—Confined Three Months.

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69. JAMES HEWITT was indicted for stealing, on the 7th of November, 2 caps, value 1*l.* 10*s.*, the goods of Joseph Moses and another.

JOSEPH MOSES. I live in Southwharf-road, and am a tailor, in partnership with Francis Charles. A customer of mine came and told me something, I looked about and found there was a cap gone, and I jumped up, ran out, and found two were gone—this is one of the caps—I am going on for nineteen years of age, and keep the shop—I pursued and came up with a young man who had got the prisoner—the prisoner began a sort of cry, and said "It was not me that took it, I bought it of that man that is going away."

Prisoner. He said, "If you don't give me half-a-crown, I will give you in charge."

WILLIAM LLEWELLIN. I live in Union-place, Paddington. I was in Moses' shop, and happened to see somebody's hand taking a cap down—I said, "There goes one of your caps"—I pursued the prisoner, and took this one with a cap in his bosom—he said, "Why do you not take the other one? he took the caps"—he made a kind of cry, and wanted to pay for the cap—he said he had got but 8*d.*—the owner wanted half-a-crown for the two.

Prisoner. I said, I have got a cap which I bought of that man.

OWEN BAXTER (*police-constable D* 115.) I took the prisoner, and found the cap and 7*d.* under his smock frock.

(The prisoner received a good character.)

GUILTY. Aged 17.—*Recommended to mercy by the Prosecutor.*
Confined Three Months.

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70. DANIEL KNIGHT and GEORGE ORFORD were indicted for stealing, on the 10th of November, 15lbs. weight of copper, value 5*s.* the goods of Richard Barrow, and fixed to a certain building; against the Statute, &c.

RICHARD BARROW. I live in Raymond-buildings, Gray's-Inn-lane—I have a foundry in Compton-passage, Clerkenwell—I lost from there three copper gutters and part of another—I cannot say that I had seen them safe since they were fixed twelve months ago—I have compared the copper produced with the gutter, and believe it to have formed part of the gutter, and from its appearance I should say it had been recently cut.

Cross-examined by MR. DOANE. *Q.* Are these gutters high? *A.* Yes, at the top of the building—it is a high building—it has been uninhabited for two years, but is now used as a foundry—the copper appears to have been cut with a sharp instrument, but it is not cut smoothly.

THOMAS EMERY (*police-constable G* 176.) On Friday night, at half-past ten o'clock, I met the prisoners in Compton-street, Clerkenwell—Knight had a bag on his shoulder—I passed them and went up to Compton-passage—I there received information that some boys had been on the building—I went back and stopped Knight with the bag—Orford was with him—Knight threw the bag off his shoulder, and tried to make his escape, but I caught him—Orford ran away—I compared the copper which I found in the bag, with the top of the prosecutor's house, and it appeared

mond—it looked quite fresh as if recently cut—I have a pair of which I found in the bag, and Knight told me he had cut the with them.

TH Box (*police-constable G* 109.) I saw the prisoners together ning, about ten minutes after ten o'clock—Orford was carrying g containing the copper—I went round my beat, saw Emery, who something, and about a quarter of an hour after, I saw the prisoners round the corner of Compton-street—Emery took Knight—I took —he said he had only been carrying a bag for his father.

s-examined. *Q.* Did you tell that to the Magistrate? *A.* No—he not allow me to say as much as I knew—I am sure this is the same I saw Orford carrying—I took particular notice of it—they shook g on their shoulders, and it jingled like tin—I am sure it is the same aw them with at first—they passed close to me.

ord received a good character.)

KNIGHT—GUILTY. Aged 12.
ORFORD—GUILTY. Aged 12. } Confined One Month.

EMMA SMITH was indicted for stealing, on the 4th of No- , 1 sheet, value 4*s.*; the goods of John Henry Bennett.

NNAH BENNETT. I am the wife of John Henry Bennett, living in -street, St. Pancras.—The prisoner and another young woman room—she said she was a brush-maker—she was out the whole of y, and I went up on the 16th, and missed the sheet and blanket— told where she was—my husband went and found her, and d a policeman—I said, if she would give me the ticket, I would say g about it—the ticket was found on her.

THUR JOHN NORTH. I am in the service of John Blackman—I have the pawned for 2*s.* by the other young woman—the prisoner was with her.

S LEGGATT (*police-sergeant E* 14.) I took the prisoner—she was into my custody in the passage—I found this duplicate in the pri- lodging room, and a quantity of others.

soner. When I took Mr. Bennett's room, a young woman in the d floor back took the sheet and pledged it—I did not—she lets gs out to gay ladies—I went three times to the person that pledged get the ticket—she took the sheet out of my lodgings—I would have back that evening, but Mr. Bennett fetched me about eleven o'clock, I very seldom go home before twelve o'clock—I was not with the n who pawned it—I was ill in bed.

THUR JAMES NORTH *re-examined.* This sheet has not been pledged than once, that I know of—it was pledged first for 1*s.*, and they a few days after and had another shilling—the prisoner was with the n who came the first time—not the second—it was pledged in ame of "Sarah Wells"—the other took the active part in pledging it.

NOT GUILTY.

WILLIAM JONES was indicted for stealing, on the 27th of Oc- , 1 handkerchief, value 4*s.*, the goods of John Ryves D'Arcy, from son.

N RYVES D'ARCY. On the evening of the 27th of October I was g through King-street, Covent-garden, and all on a sudden I felt at my pocket—I put my *hand back and found my handkerchief was* t of *my pocket—I had used it but a very short time* before—I *prisoner close behind me, and immediately accused him* of taking it

out of my pocket—he declared he had not seen it at all—I looked down by some railings, and there I saw my handkerchief on the ground—I stooped to pick it up—he gave me a blow, and before I could recover myself he was off, I suppose 200 yards—a gentleman was coming against him—he stopped him and gave him to the policeman—there was no one near me but him that could have done it—this is my handkerchief.

JOHN RYLES. I am a painter and glazier in Westminster. I was in King-street, and saw the prisoner running towards me—I put my hand out and stopped him—he fell down—I detained him till the prosecutor came up and charged him with stealing the handkerchief—the officer came up and he took him.

WILLIAM FIELD (*police-constable F* 128.) I took the prisoner, and have had the handkerchief ever since.

Prisoner. I am innocent—I was in liquor at the time. *Witness.* He was sober enough when I took him to the station.

(The prisoner received a good character.)

GUILTY.* Aged 29.—*Recommended to mercy by the Prosecutor.*
Confined One Year.

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73. JAMES BOTWRIGHT was indicted for stealing 1 sword, and 3 hat covers, value 4*l.*; the goods of Charles Tarr Webb, his master; to which he pleaded

GUILTY. Aged 21.—*Recommended to mercy by the Prosecutor.*
Confined Three Months.

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74. ADAM SAMSON was indicted for embezzling 2*l.* 15*s.*, and 2*l.*, the monies of Charles Tarr Webb, his master; to which he pleaded

GUILTY. Aged 25.—*Recommended to mercy by the Prosecutor.*
Confined Six Months.

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75. JAMES ROBINSON was indicted for stealing, on the 7th of November, 2 pewter pots, value 1*s.* 6*d.*, the goods of George Caslake; and that he had been before convicted of felony.

GEORGE CASLAKE. I keep the Boston Arms, Boston-street, St. Marylebone. I lost some pots—these two are both mine.

WILLIAM PHILPOT. I live at the Turk's Head, Harley-street. I thought it necessary to search the prisoner's pocket, and found one pint-pot of Mr. Caslake's in it.

CHARLES PARKER. I am a policeman. I took the prisoner, and as I was going along I looked into his hat, and found one of these pots, which is Mr. Brown's, and the other which is Mr. Caslake's, in his coat pocket.

GEORGE FELTON. I am a police-Inspector. I produce the certificate of the prisoner's former conviction, from Mr. Clark's office—(*read*)—the prisoner is the man.

GUILTY. Aged 19.—Transported for Seven Years.

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76. THOMAS HANDLEY was indicted for stealing, on the 7th of November, 2 bottles, value 3*d.*; and 1 pint of sauce, value, 2*s.* 9*d.*; the goods of William Beale and another.

EDWARD MASON. I am shopman to William Beale, of Albany-street, an oilman. I was in the shop on the 7th of November, at half-past eleven

clock, and saw the prisoner and another one there—I saw our window was broken and two bottles were taken—I did not see either of them take the last but the last bottle I saw the other one take out, and give it to the prisoner—they ran away—I ran and took the prisoner, and took the two bottles from him—I could not take the other—they had Reading-stamps on them, and are my master's—he is in partnership with his brother.

Prisoner. I was going up Albany-street, and another boy, passing me, asked me whether I would have two bottles—I took them, and he ran away—the young lad came and took me, and took the two bottles from me—I did not know what they contained.

(The prisoner received a good character.)

GUILTY. Aged 14.—*Recommended to mercy by the Jury.*
Confined Five Days and Whipped.

Fourth Jury, before Mr. Sergeant Arabin.

77. JOSEPH TOTTELL was indicted for stealing, on the 27th of November, 1 shilling, and 12 pence, the monies of William Sage, his master; to which he pleaded

GUILTY. Aged 58.—Confined Three Months.

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78. MARY NEILY, JEMIMA NEILY, and HANNAH ADAMSON, were indicted for stealing, on the 30th of September, 1 shawl, value 1*l.*; 1 necklace, value 1*l.* 10*s.*; 1 handkerchief, value 1*s.*; 1 snuff-box, value 6*d.*, 1 harmonicon, value 4*s.*; 1 veil, value 2*s.*; 1 pair of gloves, value 1*s.*; 1 bag, value 1*s.*; and 1 bottle, value 6*d.*, the goods of Ann Milton, in her person.

ANN MILTON. I am a single woman, and get my living by hard work. I live in families as a servant—I was out of place for about three weeks—the prisoners were quite strangers to me—on the 30th of September, I had been out to spend the evening with a few of my friends, and as I was returning home I was a little the worse for liquor—it was ten minutes past twelve o'clock—I had been at the Eagle-tavern in the City-road—I had never seen the prisoners before—as I was going along the City-road they spoke to me—I think it was Jemima Neily spoke first—she said, "Halloo"—I spoke to her—she said to me, "What are you going to stand?"—I said they could have what they liked—so one sister took hold of one of my arms, and the other the other arm, and Adamson walked behind me—they went to a public-house and called for half a pint of gin—I paid for half a pint of gin, and a bottle of ginger beer—I did not mix the gin and the beer together, they drank it between them—I did not take a drop—I paid 11*d.* When we came out, the two Neily's took my arms again, and took me down the City-road; first down one street, and then down another, and then they took all my things from me—the two Neily's had hold of my arms—Adamson took my bag and my necklace, and the two Neily's took my veil and other things—I had a necklace in my bag with an harmonicon and snuff-box—they got away, and were taken about five weeks after—I am sure they are the same persons—I had lived with Dr. Smith, of White-street, before this happened—I have not been able to go to a place on account of this business—my brother has kept me—he is a painter, in Bee-alley, Wilson-street—he is a married man—some of my property has been found on Neily's premises.

counter—I saw it at nine o'clock in the morning, and missed it five minutes after, when I came to serve in the shop—it has been found—it was stopped in the broker's shop by the broker.

GEORGE WORSTER. I am porter to Mr. Ford. On Friday, the 3rd of November, the prisoner came and asked if I would buy the box—I took this box from the prisoner, and took it to my master, Mr. Ford, and told him I suspected it was a box that had been stolen from the corner of Lumber-court—my employer came and told the prisoner to walk with me to the next shop, Mr. Bradley's and the prisoner went with me there, and my master and Mr. Bradley had some conversation, and told the prisoner that they had some suspicion it was stolen, and he had better go and fetch the parties—he went away—I did not see him again till he was in custody on the Saturday—he is the man.

THOMAS CARTER. I am a policeman. I took the prisoner, from the description given of him.

(*Property produced and sworn to.*)

Prisoner. I do not know any thing of the robbery—they are mistaken in the person altogether, and how they came to know where I lived I do not know.

GUILTY.* Aged 18.—Transported for Seven Years.

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83. HENRY PORTER was indicted for stealing, on the 13th of November, 1 coat, value 20*s.*, the goods of Samuel Isaacs.

HENRY BEALE. I had the care of this coat, it was kept in a box in the livery stables, in Crown-yard, Regent-street—it was left with me on the 8th of November, and I saw it safe on the 13th, from half-past six o'clock to seven o'clock, and I missed it the same day, when the policeman called on me—the prisoner was helping me that afternoon—he worked in the yard—I did not permit him to take the coat—I had the care of it—it was Mr. Isaacs's—he puts up at the stables.

Cross-examined by MR. PHILLIPS. *Q.* It was on the 8th you got this? *A.* It was left with me on the 8th, and then he had it again and left it with me on Lord Mayor's day—I have known the prisoner about twelve months—I have heard that he has worked in the yard—only one person beside myself is employed in this yard—I lock it up when I leave—I cannot swear that I locked it when I left it that night—I was drunk, but not lying in the stable.

MARK TEASDALE. I am a policeman. I was on duty on the 13th of November, in Regent-street—the prisoner came out of that yard with a coat on his shoulder—I stopped him and asked him what he was going to do with the coat—he told me it was his own—then he contradicted himself, and said it belonged to another person—I told him I had suspicions of it, and I would take him to the watch-house—he said, "You don't mean that, do you?"—he *chucked* it down on the pavement, and said, "You b——, carry it yourself."

Cross-examined. *Q.* Was it not openly over his shoulder? *A.* Yes, so that any body might see it as he walked along—he said it belonged to a man of the name of Spears—I never swore it was Spill—I was examined at the police-office—I never swore that he told me it belonged to a man named Spill—this is my hand-writing—it is here "a man of the name of Spill," but I said Spears—the clerk desired me to attend to it while he read, and I did of course"—I signed it—I find the name Spill—of course I swore *that it was Spill, if* it is there—I said Spear—I did not say Spill—I might

at have observed it—the prisoner said he did not take it away with any idea of stealing it.

Mr. Phillips *to* Henry Beale. *Q.* Do you know a man of the name of Spear? *A.* There is a coachman of that name who assists in the yard.

Jane Goddard. I am servant to Mr. Samuel Isaacs. This coat is his.

NOT GUILTY.

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34. HENRY CAMP was indicted for stealing, on the 7th of November, 3 half-crowns and 6 shillings, the monies of Stephen Pitt, from his person.

Stephen Pitt. I am a seafaring man. I lodged at Mrs. Bird's, at Poplar, when this happened—I knew the prisoner—I believe he is a shoemaker—I never knew him before that morning—I gave him a suit of clothes to pawn—he returned and gave me 16*s.*—I was at the Sun and Sawyers, in Poplar, from eight to ten o'clock—I was not sober nor drunk, but sensible—I recollect giving him the bundle—I fell asleep—I put 13*s.* in my pocket—I lent him a half-crown—I put two or three half-crowns into my pocket, besides shillings—I did not count exactly to see what they were—I dozed, I dare say, for an hour—when I awoke my money was gone out of the pocket—I had put it into my right-hand trowsers pocket—that is where I always put my money—I was asleep when he took it—there was only the prisoner and another man—when I awoke I had 5*s.* in this other pocket, but it did not belong to that money.

Cross-examined by Mr. Clarkson. *Q.* Was this morning or evening? *A.* It was in the morning—I did not meet this man again in the evening nor in the afternoon—I did not meet him after I awoke—I was in my bed after three o'clock—I waited at the Sun and Sawyers till three o'clock, and then went to my lodgings—the person is in Poplar who had the care of me.

William Hunt. I am a bricklayer. I went into this public-house between ten and eleven o'clock, and had half a pint—I saw Camp sitting at the right-hand side of Pitt and a shoemaker—Camp put his hand into the prosecutor's right-hand trowsers pocket, and took out the money—there were two half-crowns and some more silver—then he put his hand into his left-hand pocket and took out a tobacco pouch, and took out a ticket of Pitt's clothes—he threw the pouch down at his feet, and then they asked if I would have some bacon with them, and we did, and some beer—I do not know whether the prisoner paid for it—Pitt remained asleep—the same night I saw them again at the same house—Pitt awoke and picked up his pouch, and said he had lost the ticket of his clothes—I told him that I was there, and stopped till he awoke to see that he was quieted.

George Murray. I am a policeman. On the 7th of November Hunt came to the station-house and said what he had seen—I took the prisoner into custody, and on him I found a duplicate of the clothes—I found no money on him.

NOT GUILTY.

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35. ABRAHAM HENRY STANNARD was indicted for stealing, on the 13th of November, 3 sets of teeth, value 4*l.* 2*s.*; and 9 other teeth, value 18*s.*; the goods of Edmund Fuller, his master.

Mr. Chambers *conducted the Prosecution.*

FULLER. I am *a dentist. I took the prisoner into* my service

on the 7th, I was called to take the prisoner for stealing these things—took her from the front parlour of the house she was in—she said she ha got the things, and had pawned the gown, and these other things she ha left at a shop—I went and found them.

JOHN MILTON. I am a pawnbroker. I took this gown of the prisone —I never saw her before.

Prisoner. I was coming through Well-street at half-past two o'clock and met *Betsey* Marshall, she asked me to fetch these for her mothe and then she asked me to pawn the gown.

(The prisoner received a good character.)

GUILTY. Aged 16.—*Recommended to mercy by the Jury.*
Confined Five Days.

OLD COURT.—*Friday, December 1st,* 1837.

First Jury, before Mr. Sergeant Arabin.

90. HENRY PRESTON was indicted for stealing, on the 25th of No vember, 1 cloak, value 1*l.*, the goods of Eleanor Potto: and 1 shawl, valu 6*d.*, the goods of Louisa Garrett.

ELEANOR POTTO. I am single, and am a milliner, living in Little Mor timer-street. On the 25th of November, about half-past ten o'clock in th evening, I was in my parlour which communicates with the shop, and sav the prisoner come from behind the counter, and run out—I ran out, an saw him rolling up a cloak—he ran away, and I after him, calling "Sto thief," up Mortimer-street, Portland-street, into Regent-street—he droppe the cloak at the corner, and was stopped by the policeman—this is th cloak, and this shawl which was with it, belongs to Louisa Garret—th prisoner was quite a stranger.

WILLIAM DUKE. I am a policeman. I heard an alarm of "Sto thief," and saw the prisoner running with the property under his arm— pursued and secured him.

GUILTY.* Aged 22.—Transported for Seven Years.

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91. WALTER LEWIS was indicted for stealing, on the 3rd of No vember, 4 sovereigns, 2 half-crowns, and 15 shillings; the monies o John Wood, his master.

JOHN WOOD. I keep an eating-house in High-street, St. Giles's. Th prisoner was three weeks in my service—I owed Mr. Moss, the butcher, bill—on the 3rd of November, about a quarter to eight o'clock, I gave th prisoner four sovereigns and some half-crowns to pay it, but he never re turned—he was apprehended the next week.

ELIAS AVERY. I live with Mr. Moss. On the 3rd of November th prisoner came there, and said his master had sent him to say he was gon to the baker's to settle the bill, and when he had done that, he woul come and settle with Mr. Moss—he never paid any money—I wished hi to wait and see master, which he did, and told him the same, in my pre sence.

WILLIAM ADAMS. I am a policeman. On the 10th of November th prisoner came to me and asked me to take him into custody for robbing hi master, Mr. Wood, of 5*l.*

*GUILTY.** Aged 18.—Transported for Seven Years.

92. HENRY RICHARDSON *alias Waterson*, was indicted for stealing on the 30th of October, 1 coat, value 20*s.*; 2 shawls, value 2*s.*; and 1 pair of gloves, value 1*s.*; the goods of James Bramble; and that he had been before convicted of felony.

JAMES BRAMBLE. I drive an omnibus. On the 30th of October, I went into the Portland Arms, at the corner of Princes-street, to write some circulars—I saw the prisoner in the house—I had a great-coat and two shawls in it, which I laid down on the settle—the prisoner was standing up—I was beginning to write—I sat with my back rather towards the prisoner, and sat down by the side of my coat—I turned round shortly after, and the coat and the prisoner were gone—Box, who was sitting near, was also gone—Box was there when I first went in—I met the prisoner next night in a coffee-shop where I went to have my tea—I sat down opposite to him—my fellow-servant called him out, and as he went out at the door the policeman took him—I told him it was no use denying taking the coat, for I had a man who had seen him do it—he said if I would let him go by himself he would fetch the coat, but I have not seen it since, nor the shawls.

RICHARD BOX. I am a hackney-coachman. I was at the public-house, and saw Bramble's coat on the settle—I sat down by the side of it—the prisoner, who was quite a stranger, was standing by—he came and sat down by my side, and asked me for a halfpenny, to get a baked potato—the person I wanted was not there, and as I was going out, he got up and came along with me, with the coat under his arm, and walked by my side—I met a friend, and while talking to him, the prisoner put the coat on and went away—I did not know but it was his own coat.

ALFRED BLUNDELL. I am an officer. I took the prisoner into custody—he said he knew nothing about the coat—but when Bramble came up, he said if we would allow him a quarter of an hour, and forgive him, he would produce the coat.

THOMAS ————. I am a policeman, I produce a certificate of the prisoner's former conviction, from Mr. Clark's office—(*read*)—I was present at the trial—he is the man.

GUILTY. Aged 25.—Transported for Fourteen Years.

Before Mr. Justice Park.

93. WILLIAM FISHER was indicted for the wilful murder of James Kendall.

MR. BODKIN *conducted the Prosecution.*

GEORGE FREEMAN. I am a drayman, in the employ of Coombe and Delafield, brewers. On Friday, the 3rd of November, between one and two o'clock in the afternoon, I was in Mount-row, which leads out of Park-street, near Berkeley-square—I saw a mob coming up out of Mount-row, and the prisoner beating another man with a short stick—I did not see the man fall—I observed the stick drop from the prisoner's hand, and saw him put his hand to his right-hand coat-pocket—he drew out a knife, and stabbed the man with it—I saw him stab him, and saw the prisoner put his knife into his pocket again—the deceased walked round once or twice, and said he was stabbed—he was capable of walking—I went forward with FISBERRY, my fellow-servant, and took hold of the prisoner—I asked him where the knife was which he had stabbed the man with—he said, "In my pocket"—I put my hand into his pocket, and

drew from it a table-knife—I laid it on the step of a door, and afterwards gave it to the constable—(*knife produced*)—this is it—when I first saw the prisoner and the deceased, they were scuffling—the prisoner was beating him with a short stick, and he was trying to get away—I did not see the beginning of it.

Cross-examined by MR. PHILLIPS. *Q.* Did not the prisoner appear to you to be in a very uncomfortable state of mind? I adopt that phrase, as I find it in your deposition. *A.* He seemed to be in a very great passion when the stick was dropped—after I took hold of him he seemed quite comfortable—he appeared in a great passion while he was beating the deceased, and while he used the knife.

HENRY FISBERRY. I was in company with Freeman, my fellow-servant, when this matter happened—I saw a scuffle between the two men, and saw the prisoner beating the other with a short stick—he dropped the stick, and made use of the knife—he took it from his right-hand pocket, and stabbed the man—Freeman went up and took him—I did not ask him any thing, nor did Freeman in my hearing—I saw the knife—Freeman took it out of the prisoner's pocket—the prisoner was afterwards given in charge of a constable.

STAFFORD JOHN BERKELEY. I am house-surgeon at St. George's Hospital. The deceased was brought there on the Friday afternoon, between two and three o'clock—he had a flesh wound on the left side, between the tenth and eleventh rib—he was labouring under the effect of that wound, and appeared sinking from loss of blood—I attended him till he died, which was about a quarter past six o'clock on Saturday afternoon—I was present at the *post mortem* examination of the body—we discovered that some sharp instrument had penetrated the walls of the chest on the left side, between the tenth and eleventh ribs, passing obliquely upwards, through the diaphragm, spleen, stomach, and almost the entire thickness of the liver—a quantity of blood was effused in the cavity of the abdomen—that was the consequence of the wound, and was the cause of death—there was only one wound—such a knife as this would produce the wound.

PETER HAY. I am a constable of St. George, Hanover-square. On Friday, the 3rd of November, the prisoner was placed in my custody on this charge—I have produced the knife—the prisoner told me the reason he had stabbed Randall was, that he had taken unnatural liberties with his son—that he had only done what a father and an Englishman would have done under such circumstances.

Cross-examined by MR. CLARKSON. *Q.* Did he also say he had never seen the deceased till within two minutes when he was pointed out to him? *A.* He did.

CHARLES MEREDITH. I am a painter and glazier, and live in Davis-street. The deceased James Randall lodged in my house for nearly eight months, down to the 1st of November—he was a valet, I believe, but was out of place the whole eight months—I believed him to be single—he did not board with me—he was about forty years of age—for a fortnight before the 1st of November his conduct excited suspicions in my mind—during the eight months he lodged with me between six and seven lads had come into my house, and they had always gone into his sleeping-room—one would come, perhaps, two or three times, then I saw no more of him, and then another came—they used to come either early in the morning or late in the evening—on the 1st of November, about nine o'clock in the evening, he came in with a youth apparently about fifteen years of age—

I thought I had noticed that lad coming to my house once before—he had a livery on—they went up stairs to the deceased's bed-room, which was the same—he only had one room.

Coroner. *Q.* How did the boys come in—is yours an open door? *A.* No, they knocked at the door, and inquired for Mr. Randall—they asked for Mr Randall—they asked for him by name—they generally went up of their own accord—they would say, "I know his room, Sir, I will go up"—I did not notice how long they staid—On the 1st of November I proceeded to watch what took place—when I got up to the door of the deceased's room, I looked through the keyhole, and there was no light to be seen—he had taken a candle up with them—it appeared as if the keyhole was muffled in some way inside—the door was locked—I heard a whispering—I burst open the door suddenly—(*Here the witness described finding the deceased and the youth in such a situation as left no doubt of they being in the act of perpetrating an unnatural offence*)—I said to Randall, "You wretch, I suspected you, you are now detected!"—he instantly fell on his knees, clasped his hands, and said, "Oh, Mr. Meredith, you have a family of your own; don't give me into custody;"—he repeated that two or three times—he said, "Any property that I possess is yours; I will give you 100*l.*, but do not give me into custody"—a slight scuffle took place between Randall and me, during which time the boy ran down stairs—I went after him and detained him at the bottom of the stairs and while I was so engaged, Randall made his escape—I learnt from the boy that he lived at No. 7, Hanover-square—I took him there, and ascertained that he was the prisoner's son—the prisoner called on me the following day, Thursday the 2nd of November, about seven o'clock in the evening—he had been informed before he came to me of what I had observed respecting his son—he merely called on me to know if I knew where any of Randall's friends resided, for he thought he should be able to trace him—I had told the story to somebody at No. 7, Hanover-square—the prisoner appeared to be very low, and shed tears two or three times in my house—I saw him again next morning (Friday) between eight and nine o'clock—he merely said, "Have you seen any thing of Randall?"—he said he should get assistance, and no doubt he should be able to secure him—during both these interviews he appeared to me to be in a state of great misery, but no expression escaped him, from which I could infer he contemplated attacking the deceased.

Cross-examined by Mr. Phillips. *Q.* According to the best of your recollection, do you think the deceased had ever had that boy before in his room? *A.* I thought I had noticed him once before.

H. M. Dyer, Esq. I am a Magistrate of Middlesex. On the 4th of November, about four o'clock in the afternoon, I attended at St. George's Hospital, to take the statement of the deceased, James Randall—he appeared to me under the conviction that he should die—this statement was taken down in my presence on that occasion—it has my signature to it—it was read over to the deceased—he did not sign it—he did not appear in a condition to sign it—(*read*)—"4th November, 1837. The declaration of James Randall, who says, I have no chance—believing myself in a dying state, I think there is no hope for me. On Wednesday last I saw Fisher's son, whom I had known for some time, at my lodging—he told me he suspected he had got the v——— disease, and showed me his ———, and while doing so, the landlord came into the room, and ——— *re it* could not be for *any good, and he would* go and tell

the boy's father, and yesterday the father, Fisher, met me and his son in Davis-street, about half-past one o'clock—Fisher said to his son, 'Is that he?' and on the boy's saying, 'Yes,' he knocked me down with a stick, and as I was attempting to rise he drew a knife out of his pocket and stabbed it into my left side—I fell down directly, and I think I saw him putting the knife into his pocket—I do not recollect his speaking a word to me, or asking me any question before he knocked me down with the stick—I never spoke a word to the man, Fisher, myself—he broke the stick with the blow he gave me.' Taken before me, H. M. DYER."

MR. BERKELEY *re-examined.* Randall appeared all along convinced he was dying.

WILLIAM MORIE TRACY. I am a surgeon, and live in Clarges-street. On the 8th of November, I examined the person of the prisoner's son, at the request of Dr. Locock, in whose service I believe he lived—there was no appearance whatever of any v ——— disorder—he certainly had not had that disorder within a week before—there was no evidence of that disease in any form.

(Sir Charles Mansfield Clark, Bart.; John Maudesley, surgeon, Hanover-square; Dr. Robert Ferguson; Dr. Locock; William Morie Tracey, surgeon, Clarges-street; George Ashley, the prisoner's brother-in-law; Israel Phillips, tailor, Lamb's Conduit-street; William Thorn, coach builder, John-street, Cavendish-square; Robert Newman, Regent-street; Charles Walker, saddler, Titchbourne-street; William Tallows, artist, Gilbert-street, Grosvenor-square; Thomas Peek, of the Exchequer-office; and Richard Evans, Berner's Mews, wheelwright; gave the prisoner a most exemplary character.)

GUILTY of manslaughter only. Aged 44.—*Recommended to mercy in consideration of his character, and the aggravated circumstances in which he was placed.*—Confined One Year.

Fourth Jury, before Mr. Baron Parke.

94. ANN WILLIAMS and MARIA JONES were indicted for a robbery, on Benjamin Watts, on the 12th of November, at St. Luke's, and stealing 1 half-sovereign, four half-crowns, 1 shilling, and 1 sixpence, his monies; and that they immediately before, and at the time of such robbery, feloniously did use personal violence to him.

BENJAMIN WATTS. I am a coal porter. On the 12th of November, I was going along Chiswell-street, at a quarter to ten o'clock at night—the two prisoner's followed me, seized me by the body, and held my arms down—Williams went behind me, and closed her arms round me to confine my arms to my body, and Jones seized me by the arms and pushed me into a court—I have not a doubt of the prisoners being the persons—Jones came before me and seized me by the hands, and Williams put her hand into my pocket and took out a half-sovereign, four half-crowns, a shilling, and a sixpence—it was in my right-hand trowsers pocket—she handed it over to Jones, who ran down the court with it, and dropped a half-crown which I immediately put my foot on—I called the policeman and seized Williams—I picked up the half-crown and gave it to the constable, after marking it.

Williams. *Q.* Did you not leave a woman, and cross to me? *A.* No—I saw no woman at all—I did not ask you if you had a place of your own, nor to have any thing to drink—I did not say I had only half-a-

town, and if you had a room of your own I would give it you—you did not say you had no place of your own, nor did I say I would go and ask somebody who had.

ROBERT REED. I am a police-sergeant. I received information about a quarter to ten o'clock, that a person had been robbed in Type-street—I went up to the place, and found the prosecutor—(before the alarm I saw the two prisoners together)—I found Williams in Watts's custody—Baker took her, and I went in pursuit of Jones—I took her about eleven o'clock in Barbican, in company with some other girls, not at her lodging but in the street—I afterwards went to her lodging in Ball-court, Playhouse-yard—she gave me several addresses—I found a key on her which unlocked the door of the room I went to, and I found a child in bed there which I had seen her carrying—I found in that room, under an image on the chimney-piece, a half-sovereign, two half-crowns, a shilling, and a sixpence.

BENJAMIN BAKER. I am a policeman. I was in company with Reed, and took Williams into custody—the prosecutor gave me a half-crown—I had seen the prisoners in company that night at the end of Chiswell-street.

ANNA COLLINGHAM. I was present when Jones was searched, and found on her 2*s.* and the key, which I gave to the constable.

BENJAMIN WATTS *re-examined.* I can swear to this half-crown which Jones dropped—I put my foot on it—I do not know any of the rest of the money.

Williams's Defence. The man asked me to have something to drink when I met him.

Jones's Defence. I never saw the man.

WILLIAMS*—GUILTY.—Aged 27. } Of stealing from the person with-
JONES*—GUILTY. Aged 22. } out violence.
Confined One Year.

Before Mr. Justice Park.

95. WILLIAM GODFREY and JONATHAN DOBSON were indicted for stealing, on the 25th of November, 26½ yards of oiled and printed table-covering, value 5*l.* 10*s.*, the goods of Hewitt Fish Turner, the master of the said William Godfrey, in his dwelling-house.

SAMUEL DALLOW. I live at the corner of Myddleton-street, St. John-street-road. On Saturday, the 25th of November, between one and two o'clock, I was in my house, and observed the prisoner Godfrey beckon Dobson through the window over to Mr. Turner's shop, and when Dobson went over he opened the door for him—I saw Dobson go in—he stooped down and brought out two rolls of printed table-covering on his shoulder—he went up Myddleton-street, as far as Gloucester-street—I followed and overtook him in Rosoman-street—I saw a policeman, and he took him to the station-house.

Cross-examined by MR. PHILLIPS. *Q.* Did you lose sight of him? *A.* Only in turning the corner—I am quite certain he is the person.

Cross-examined by MR. PAYNE. *Q.* Where is your shop with reference to Mr. Turner's? *A.* Directly opposite, in a slanting direction—I was inside my own shop, watching the prisoners—I could see into Mr. Turner's shop quite plain—I saw Godfrey, through the window, beckon to Dobson—mine is an oil-shop—I saw two persons in company with Dob-

JAMES LAWS. I am a policeman. Dallow sent me after Dobson saw him throw the property down, and run away—I secured him.

HEWITT FYSH TURNER. Godfrey was nearly twelve months in service—I was not in the shop on this occasion—this is my cloth—it pattern nobody else has—I had seen both pieces that day—it is dwelling-house, and is in the parish of St. James, Clerkenwell.

Cross-examined by MR. PAYNE. *Q.* What do you call this? *A.* printed table-covering—I gave Godfrey in charge after Dobson was tal

(The prisoner Godfrey received a good character.)

GODFREY—GUILTY. Aged 13.—Confined Nine Months.
DOBSON†—GUILTY. Aged 21.—Confined One Year.

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96. RICHARD BUTLIN and GEORGE BACKLER were indi for fraud and conspiracy; they pleaded Guilty to the Count char conspiracy.

(No evidence was offered on the Count for fraud.)

BACKLER.—*Recommended to mercy.*—Confined Six Months.
BUTLIN.—Confined One Year.

Before Mr. Baron Parke.

97. JOHN DAVEY was indicted for stealing, on the 8th of Aug 52 yards of linen cloth, value 4*l.*; and 1 shawl, value 2*l.*; the good George Read, his master.

GEORGE READ. I am a linen-draper, and live in Upper-street, Isl ton. The prisoner was my apprentice for nine months—he absconde the 23rd of October—I did not miss any Irish linen while he was with

WILLIAM SMITH. I am a pawnbroker at Islington. The pris pawned a piece of linen with me on the 16th of September, and a shaw the 8th of August—I produce the linen—he said it was his property.

Cross-examined by MR. PAYNE. *Q.* How long was he with you? Perhaps ten minutes or a quarter of an hour—I had seen him before, am certain of him.

MR. READ *re-examined.* This linen is my property—I know it by mark on it, AR—the prisoner had access to it—he slept in the shop— shop-mark is partly rubbed out—I know this letter to be the prisoı hand-writing—(*read*)—"To Mr. Read, Draper—Dear Sir, I would have you think for one moment that I address you on the present occa for pardon for my past act of felony committed by me on your premis it is to announce to you that it is my intention to make a true and ca confession of every thing I have taken from you, when I appear before Magistrate to-morrow at Hatton-garden. I have been in prison a fortn to-day, and have made up my mind to undergo what punishment i flicted, as I have been such a guilty wretch I would not plead for par but hope when you come you will be as calm as you can with me. W I wrote you the letter I had made up my mind to drown myself, bu conscience smote me and would not let me do it; had I done that a crime I should have been plunged into perdition. I have to ask you favour, that you will not mention me to the young men, as I could no one of them. I hope this will enable you to hear what I have to say calmness. I mean to confess every thing—I would not omit one thin save my neck from the halter."

Cross-examined. *Q.* How long had the prisoner been with you?

Before Mr. Justice Park.

MICHAEL NUGENT and GEORGE KAIN, *alias Jackson*, were
d for that they, on the 3rd of November, at Ratcliffe, feloniously did
en one Francis Harrison to accuse him of the abominable crime of
, with a view and intent in so doing to extort and gain from him cer-
his monies and property; and by intimidating him by the said threat
lawfully and feloniously extort and gain from him 7*s.* and 6*d.*, his
s.—2nd COUNT, for threatening to accuse him of attempting and en-
ring to commit the said crime.

MESSRS. CLARKSON *and* BALLANTINE *conducted the Prosecution.*

ANCIS HARRISON. I am a watchmaker and jeweller, and live in Broad-
, Ratcliffe. On Friday, the 3rd of November, about twelve o'clock in
n, I was in Schoolhouse-lane—I had fetched a clock from a customer,
ad it with me—the prisoner Kain came up to me—I turned round, and
Nugent with him—they were together—Kain said to me, "Don't you
me?"—I said, "No"—he said, "You must recollect me from what
place last night"—I said, "No, what was it about?"—he said, "You
recollect"—he said that I had indecently used him—he said, "You
hold of my person"—he did not mention what part of his person—I
him he was mistaken, and to go about his business—he said he was
mistaken, I was the man—and he said, "Give me some money, or I
expose you"—Nugent was close to him during this—I walked on—he
that the one who was with him was his witness—Nugent must have
, that—I walked on toward my house, which was about two hundred
s, or more than that—they continued to follow me, but I did not look
—they followed me to the bottom of the lane, and then Kain said,
me, come, stop"—I stopped, and asked him what he wanted—he said,
u have used me in a s—— way" and asked again for money—I told
to come on to my house, and explain—he said, "No—I am as b——
sneake as you"—I walked on till I got to my house—they continued

to be very much flurried, and said in their hearing, that she wished me to give them money to get rid of them—I refused at first to do so, but seeing her state of mind, and being much agitated myself, I said, "Give them some," and she gave them 8*s*.—I directed her to do so, in consequence of the threat that had been used—after she gave them the money, she said, had they not better give a receipt, or they would come again, addressing herself to them—Kain said, "Yes, we will give a receipt"—I think my wife gave the money to Nugent, but they both stood close together—I was very much intimidated by the accusation, before I directed her to give them the money—I wrote the receipt—this is it (*looking at it*)—my wife put a slip of paper into my hand—I said, "What am I to write?"—Kain said, "Clear of all charges"—I asked him his name—he said George Jackson—I then wrote the receipt and gave it to Kain—he handed it to Nugent, who looked at it, and signed it on the left-hand corner—he then returned it to Kain, and said, "Make a mark," and Kain made a mark—I wrote this "George Jackson"—that was the name he gave me—this is the paper—(*read*) "Nov. 2, 1837, "*George Jackson received* 8*s. and begs pardon for this unfounded charge. George Jackson,* ⋊ *his mark, and Nugent*"—after this, my wife said, "You will not come again?"—Kain said, "This is clear of all charges"—just at this time my servant, Elizabeth Lowitt, came in—next morning before twelve o'clock, I went to the Thames police-office, and got a warrant—about six o'clock in the evening I had a policeman at my house—I saw the two prisoners at the shop window—I went round directly and opened the door—Kain said, "A'ynt you going to give us something?"—I asked them both to come in, and they did so, after some hesitation—I then closed the door, and Ellis the constable, directly took them into custody—he tied each of their arms together, and Kain said to me, "This is as close as we were under the bridge"—I never had any communication with the prisoners in my life, until they attacked me the day before in the street—I never gave either of them a watch—I have three children, the youngest is six months old to-morrow—I have lived in my present house since 1823, and within a few doors of there since 1818.

Kain. He gave us a watch. *Witness.* I did not.

Cross-examined by MR. PAYNE. *Q.* After they got home to your house, did both you and your wife refuse to give them any money? *A.* We both refused at first—they said they would not go out till we did give them some money—Nugent made no reply, when Kain said he was his witness—my wife was very much flurried, and said we had better give them some money, and get rid of the fellows—I said, "No, we cannot give them any money"—I wrote the receipt out of my own head—I put in the words "apologise for this unfounded charge," out of my own head—I was afraid from what they had said, that they would make the charge against me.

Q. On your oath, was it not because your wife was fluried that you gave them the money, and not from any real fear that acharge would be made against you? *A.* It was from fear in my own mind as well—we were both very much flurried, and I was flurried in the street—I objected to give them money in the first instance, knowing they were trying to rob me—I certainly continued to object for some time, but I was nearly as anxious as my wife to get rid of them, my flurry was so great—I refused to give it them at first, as I thought they would perhaps go away when they found me obstinate—Kain appeared the principal person—he spoke the whole *time—all* that I heard Nugent say was, "Make a mark," and he wrote his *name first.*

COURT. Q. Were you alarmed at the whole transaction?—were you in fear of their making the charge? *A.* I was very much alarmed—I would not have parted with the money, but through fear.

GEORGE ELLIS. I am a constable of the Thames police. In consequence of Mr. Harrison having come and made a complaint at the office, on Saturday, the 4th of November, I received a warrant to apprehend the prisoners, and went to the prosecutor's house with it, about four o'clock—I remained there till six o'clock, at which time the prisoners came—I asked what they wanted with that gentleman, pointing to Mr. Harrison, who was behind his counter—Kain said, "He knows very well what we want; we have come for some money"—I immediately took them into custody, and fastened them together—on my doing so Kain turned round to Mr. Harrison, and said, "This is as close as we were when we were under the bridge"—I conveyed them to the station-house, and on the way there Kain said, "Oh, Harrison is a guilty man, or else what made him give us the money and watch"—I asked Kain how much money—he said, "8*s.*, and we have given a receipt for it"—this was said in Nugent's hearing—they were fastened together at the time—I asked Kain how long ago it was since he first saw Mr. Harrison—he said, "About three weeks ago, in the Ben Jonson's Fields"—he said that Mr. Harrison came up to him, and said he wanted * * * —he then said, "I went under the bridge with him"—he did not say when—he said it was three weeks ago when he first saw him—he said he went under the bridge, and there Harrison * * * —I said, "Did Harrison give you any thing?"—he said no, but Mr. Harrison was going to charge him with a robbery, and he turned round and ran away—he said, "I have never seen him till last Friday, and here is my witness"—I asked Nugent what he saw of the case—he said he followed them over the fields, and saw them go under the arch of the bridge together * * * —they neither of them said what day or week this was—I did not ask them to fix the day.

Cross-examined. Q. Did the statement of what occurred under the bridge immediately follow his saying it was about three weeks ago that he first saw him? *A.* Yes it did—I said nothing more to them when I first went into the shop than "What do you want with this gentleman"—they were inclined to be very impudent, and to make use of foul language, and there being females in the shop I told them to be quiet—I was dressed as I am now, not as a policeman—I belong to the Thames police—I had never seen them before—I have no doubt they knew I was an officer by living in the neighbourhood.

COURT *to* MR. HARRISON. Q. Did you ever meet these men in Ben Jonson's Fields? *A.* Never—I never gave either of them any watch, or any money, except the 8*s.* I have mentioned—I never went up to Kain in Ben Jonson's Fields, and say what has been represented—I never went under a bridge with either of them—there is not one word of truth in all they told the officer.

ISABELLA HARRISON. I am the prosecutor's wife. On Friday the 3rd of November, about twelve o'clock, I was at home—my husband came into the passage to me, and I went into the shop—the two prisoners came in by my husband's desire, and my husband said they had charged him with having committed an indecent assault, and that they wanted money from him—I gave them some by his desire—we were both very much alarmed, and I said, "You had better *get rid of them*"—he walked up and down, *knocking his hands, and said, "Get rid of them*, get rid of

them, we must get rid of them"—I then suggested something about a receipt, and the receipt was given—I did not see them again till Ellis took them into custody.

Cross-examined. Q. Did you at first say you had no money? *A.* Yes—I said, "I have no money, what am I to do?"—I got the money off the table—I said I had none, as I did not wish to give them any—my husband said there was no occasion for a receipt from such fellows.

ELIZABETH LOWTIT. I am in the prosecutor's service. On Friday, the 3rd of November, I had been for a walk, and came in with the children about one o'clock—I saw the prisoners coming out of the shop door—on the following day master went before the Magistrate, and while he was gone the prisoners both came to the house—I opened the door to them—they asked if Mr. Harrison was in—I told them he was not, and asked them what they wanted with Mr. Harrison—they said that was their business, and not mine—they said they were not going to be put off in that way—I told them to come again at four o'clock, and they did so—Mr. Harrison was not at home then—I told them to come again at six o'clock—they did so, and were taken into custody.

MARY ROLLINSON. I am the wife of Henry Rollinson, who keeps a dairy in Brook-street, Ratcliff, opposite School-house-lane. On a Friday morning Mr. Harrison came to my house for a clock—it was half-past eleven o'clock when he went away—our house is three or four minutes' walk from his—I believe it was the 3rd of November—after he had been gone Kain came into our shop alone—I had seen both the prisoners before he came in by the dead wall, opposite my house, just before Mr. Harrison came for the clock—when Kain came, he asked me who that gentleman was who had just gone out—I told him he was a clock-maker, and lived in Broad-street, and told him his name—Kain then went out, and joined Nugent—they appeared to talk together, and then ran down School-house-lane.

MARTHA DOUGHTY. I am the mother of Mrs. Harrison, and live in their house. Mr. Harrison keeps very good hours—he is a very regular man—I remember his going out to supper on the 24th of October last, to Mr. Ruston's—with that exception, I have not known him out so late as eleven o'clock, for three weeks before this transaction—I can say so for six months, and more than that before—he is a very regular living man, a good husband, and a good father—he was very regular in his hours while his wife was lying in, about six months before—I think he left home about eight o'clock the night he went to sup at Mr. Ruston's.

JOSEPH RUSTON. I keep the Anchor and Hope Tavern, in High-street, Wapping. On Tuesday, the 24th of October, the prosecutor came to my house, a few minutes after eight o'clock—my house is about a quarter of an hour's walk from his—he left about five minutes after twelve o'clock—I know Ben Jonson's Fields—that is about two miles or two miles and a half from my house.

ELIZABETH WORTLEY. I have been lodging in Mr. Harrison's house for ten weeks last Monday. I remember his going to sup at Mr. Ruston's, on the 24th of October, about eight o'clock, and I heard him come in about twenty minutes or half-past twelve o'clock—with the exception of that one night, he has never been out after dusk since I have been there, to my knowledge—he is a regular attentive man to his family.

Kain's Defence. It is impossible for a lodger to tell what time a man comes in—I said nothing about its being last night when I met him—

101. DANIEL CARPENTER was indicted for feloniously forging and uttering a request for the delivery of a shoulder of mutton, with intent to defraud Richard Shortland.

RICHARD SHORTLAND. I am a butcher, and live in Brewer-street, Somers'-town. On the morning of the 8th of November, James Hartwell came to my shop with this paper in his hand, signed James Carpenter, which is the name of my landlord—in consequence of which I delivered to Hartwell a shoulder of mutton, believing it came from my landlord—he came three times with similar orders, and I supplied the articles he applied for, believing I was supplying my landlord.

JAMES HARTWELL. I received this paper from the prisoner—he told me to take it to the butcher's in Brewer-street—I took it, and received the meat—I can read—I knew it was not sent for by the person whose name was to it, but I thought it was right—I was not aware that it was wrong—the prisoner was well enough to have gone with it himself—he merely told me to take it to the butcher's in Brewer-street, and I should have the meat—he did not say why he did not go himself—he told me to say that Mr. Carpenter was not well—the prisoner was well enough, but I thought it was right, as the butcher gave me the meat.

JAMES CARPENTER. I am the prisoner's brother. The paper produced is not signed by me, it is not my hand writing, nor was it written by my authority or knowledge—I never gave the prisoner authority to sign my name, or send for meat in my name—I know his hand-writing, and believe this to be his—(*read*)—"Exmouth-street, 8th November, Sir, please to send me a small shoulder of mutton, with a bill of the weight. Yours, JAMES CARPENTER."

STEPHEN COLLISON (*police-constable S* 181.) I took the prisoner into custody, and told him it was for obtaining meat by false pretences—he said he was innocent.

(The prisoner pleaded poverty—he received a good character.)

GUILTY. Aged 41.—*Recommended to mercy.*—Confined Two Years.

(There were two other indictments against the prisoner.)

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102. ROBERT SCOLTOCK was indicted for feloniously breaking and entering the counting-house of Walter Frederick Wingrove, on the 21st of February, at St. Pancras, and stealing therein, 3 coats, value 17*s.*; 2 shirts, value 12*s.*; 3 collars, value 1*s.*; and 1 pair of trowsers, value 10*s.*; the goods of Samuel Golby Puddy.

SAMUEL GOLBY PUDDY. I am clerk to Walter Frederick Wingrove, and live in Cumberland-market, in the parish of St. Pancras. He has a counting-house next door, on the ground floor of a dwelling-house, but having no communication with the house—on the 20th of February, I left the counting-house about half-past six o'clock—I went there again about nine o'clock, and all was safe then—there is a passage from the outer door to an inner door of the counting-house—the outer door was fastened by an outer lock, and the inner one by one of Chubb's patent locks, and could not be opened outside without a key—between the two doors is a small window which was fastened by a button—at nine o'clock both the doors were shut, and the outer one double locked—next morning I found the outer door single locked, the other door quite open, and the button broken off the window—the gas had been turned on, and left partly on, but there *was no* light—my property is worth 4*l.*—it was all safe the night before.

JOHN WARRFIELD (*police-constable N* 4.) I had the prisoner in my custody, and I found him on the 16th of October, with a coat on, which the prosecutor swears to—I took it off his back.

JOHN RODERICK (*police-constable S* 130.) In consequence of information, I went to the prisoner's lodging about three days after the robbery, in February—I did not see him, and never saw him afterwards till he was in custody at Hatton-garden, seven or eight weeks ago—I took him into custody in the House of Correction, in October, where he had been six weeks.

SAMUEL GOLBY PUDDY *re-examined.* This is one of my coats—I know nothing of the prisoner.

Cross-examined by MR. DOANE *Q.* How do you know the coat? *A.* By a hole in the right-hand pocket, where I used to put my cash in—it has been sewn up again, and a band has been taken off here—I know it is mine by a hole also in the bottom, which I cut to get the money out—I had had it about four months.

MR. DOANE *called*

GEORGE SMITH. I am a shoemaker, and live in Chester-mews, Regent's-park. I have known the prisoner six years—I was with him in Petticoat-lane when he purchased a coat, last April twelve months—he bought it at a stand in the lane, of a Jew for 22*s.*—he was a little dark man, and had a black bag with him—he paid a half-sovereign and 12*s.* in silver—the man asked 28*s.* but took 22*s.*—I have borrowed the coat several times of the prisoner and worn it—I cannot swear that this is the coat, but I believe it is—it corresponds in every respect.

COLEY. *Q.* Is there a hole in it? *A.* There is a hole in it—I dropped the money in and cut the lining to get it out, and Mrs. Masters sewed it up—the hole is in the coat pocket—I had several halfpence there, which got down into the lining—there was no other hole in the coat to my knowledge—no tear in it—I cannot tell whether the hole was in the right or left pocket.

JAMES SCOLTOCK. I am the prisoner's brother. I was with Smith when the prisoner bought a coat like this—(it is full eighteen months ago,) in Petticoat-lane—this is the coat he bought, to the best of my belief—he gave 22*s.* for it—he bought it at a stand of a short dark man, who I should take for a Jew—he had a black bag with him—that is all I know—this is the coat I firmly believe—I know it by the button-holes being mended—I have seen his wife mend them, nearly twelve months ago.

MARY ANN MASTERS. My husband is an artist, and lives in Galway-street, Bath-street. I am no relation of the prisoner—I know this coat—I have seen the prisoner wear it—I mended it for George Smith—here is my mending to it in the pocket, as he had dropped his money through it into the lining—that was in January.

COLEY. *Q.* Are you sure it was not in February? *A.* No, nor March—I do not know that I have seen the coat since the second Sunday in January—I did not know it was the same coat till I saw it—my work is done with cotton in the lining of the pocket—some was black and some white—I had not sufficient of one sort—I saw the prisoner wear it the second Sunday in January at my house—it was sewn before that—Smith told me had borrowed the coat, and I noticed it when the prisoner had it on—I do not remember seeing the prisoner since the second Sunday in January.

SAMUEL GOLBY PUDDY *re-examined.* *I bought the coat* about a month *ago, to the best of my recollection—I had it made for me by a*

person in the Borough, named Brown—I did not know the hole was in the coat when I lost it it had not been mended—there was a tear in the coat I lost like this—this is my coat—I can swear to it—it was not lost till between the 20th and 21st of February—it could not have been mended by any one in January—I have tried it on—they have had the buttons taken off and fresh ones put on—the officer recognised the coat on the prisoner's back from the description I had given of it—I know it to be my coat—I wore it from the time I had it till February—I used the hole to put the money into the pocket, as I was at a coal wharf, and the weather was very cold at the time—the prisoner heard me state that before the Magistrate—I swear to it by the hole in the pocket, and being sewn up, and by the band—there is an appearance of the band's having been removed, and the very bands that belong to it were found in the pocket of it—I have no the smallest hesitation in speaking to it as the coat I wore up to the 20th of February.

MRS. MASTERS *re-examined.* I do not know how Smith happened to borrow the coat, only he was an intimate friend of the prisoner's—I have seen him wear it repeatedly—they did not change coats—Smith did not lend the prisoner any coat, to my knowledge. NOT GUILTY.

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103. THOMAS JOHNSON and WILLIAM HASLAM were indicted for stealing, on the 20th of November, 1 handkerchief, value 1*s.*, the goods of Paul John King, from his person.

PAUL JOHN KING. I am clerk to an attorney, and live in Rutland-street, Hampstead-road. On the afternoon of the 20th of November, I was in St. James's-park—a constable requested me to look round, and I saw Johnson struggling in a crowd with a constable—Johnson had a white handkerchief in his hand, which I identified as mine.

Cross-examined by MR. PAYNE. *Q.* What was going on in the Park? *A.* The Queen was returning from the Parliament House—Johnson was immediately behind me—I distinctly saw the handkerchief in his hand, and part of it in the constable's hand—each of them had hold of it—I immediately caught hold of it myself, and identified it—there was nobody between me and the prisoner when I turned round.

JAMES WEBB (*police-constable V* 134.) I saw the prisoner Johnson put his hand into the prosecutor's pocket, and take out this handkerchief—I did not see Haslam.

Cross-examined. *Q.* How far were you from Johnson? *A.* Direct behind him—I was in a private dress—I laid hold of him as he took it out of the pocket—he had no chance of throwing it away, for I caught hold of it as he took it out.

EDWARD LANGLEY (*police-constable A* 11.) I was in St. James's-park—I had seen the prisoners together previously in Parliament-street noticing person's pockets as they passed, making motions to each other, and pointing to people's pockets—I suspected and watched them into St. James's park—they were both behind the prosecutor, close together—I afterwards saw Webb seize hold of Johnson—Haslam directly drew himself back and made his way out of the crowd—I laid hold of him—I believe he was near enough to see what Johnson did—I had seen them in Parliament-street not three minutes before, and saw them twice stop to try to get at to two individuals, but the crowd being so great they ran on—they went *up to* the prosecutor, and were not there a second before the constable *took Johnson.*

Cross-examined by Mr. Doane. Q. Were not you yourself noticing persons pockets? *A.* Not putting my hand towards them—they pointed to people's pockets, making a signal which they seemed to understand—they stopped, and when they found they could not get to the gentleman, they went on along with the procession—they both went together—sometimes Johnson was first, and sometimes they were both together—Johnson went into the crowd to the prosecutor, and Haslam went after him, and was going close to him behind when he was taken.

(*Property produced, and sworn to.*)

(The prisoners received good characters.)

JOHNSON—GUILTY. Aged 19.—Confined Three Months.

HASLAM—NOT GUILTY.

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104. AMELIA WEST was indicted for stealing, on the 23rd of October, 40 yards of flannel, value 3*l.*, of James Burroughs.

Charles Scott. I am shopman to James Burroughs, a draper in Whitechapel. On the evening of the 23rd of October, I heard a noise at the door—I had some flannel on a bar in the lobby—I went and missed a roll of about 40 yards—I had seen it safe about five minutes before.

Thomas Lockyer. On the 23rd of October I was in the prosecutor's shop, and saw the prisoner in company with another girl—I saw the prisoner take something out of the shop-door, and hand it to the other, and both went away—the prisoner gave me a *shove*, and said, "You b——, get out of the way"—I afterwards ran into Osborne-street with the shopman, and found her coming out of a coffee-shop, and she was secured.

William Burns. I am waiter at the Flying Horse, in Lambeth-street. On the 23rd of November, about a quarter before six o'clock, I saw the prisoner at Mr. Fleming's, the pawnbroker's, in High-street, Whitechapel—I afterwards went down the street towards Mr. Burroughs, and saw the prisoner in company with another female—the prisoner was carrying something bulky under her clothes—they turned round Church-lane—I followed them, and saw the prisoner drop it from under her clothes—a *cab* went by—they called the *cab*man, who stopped—I met a policeman at the corner, and brought him, but when we came back, the *cab* was gone—we could not overtake it—I afterwards found the prisoner in Osborne-street—the flannel was not found.

Prisoner. It is false—I dropped nothing—I had not sufficient strength to lift such a load—I had only been out of the hospital five days from a fever—when taken into custody I was not the least agitated or confused—Should I have been so close to the shop if I was guilty?—I used to have my tea at the coffee-shop—the person could tell I was not there but once, and they say I was in there twice that evening—if I gave the flannel to the other girl, how could I drop it myself.

William James. I am apprentice to Mr. Dredge, a printer, in Whitechapel. I was in the Russel Coffee-house, Osborne-street, at tea, on the 23rd of October, and saw the prisoner there with another young woman, who had a roll of flannel concealed under her clothes—I saw her take it from under her clothes—the prisoner went to the door, and said to the other girl, "It is all safe, the shop is full now;" and both went out with the flannel—about five minutes after, the prisoner came in again, and sat down in a box, and had some coffee—I went out, to go to work, *and in Church-lane* there was a *man talking about flannel—I got a policeman* to go with

me, and the prisoner was coming out of the coffee-shop, Lockyer "That is the girl," and she was taken.

ANDREW CURRIE. I am a policeman. I took the prisoner comir of the coffee-shop in consequence of what James told me.

Prisoner. Q. Was I at all confused or agitated when I came out She was coming out in a hurry—when I told her she was my prisone began to cry, and asked what for—I did not see her with any flanr found nothing on her.

Prisoner's Defence. I am taken for a different person altogeth know nothing of the concern; but at Clerkenwell I was told there two girls suspected of it in Wentworth-street, but I know nothing girls at all—I was told that the girl who had it had a bonnet like m:

GUILTY.* Aged 18.—Judgment Respited.

NEW COURT.—*Friday, December 1st,* 1837.

Sixth Jury, before Mr. Common Sergeant.

105. WILLIAM NUTT was indicted for stealing, on the 6th o vember, 1 handkerchief, value 4*s.* 6*d.*; 1 sheet, value 4*s.* 6*d.*; : table-cloth, value 1*s.* 6*d.*; the goods of Michael Hughes: also, o 10th of November, 1 jacket, value 12*s.*; the goods of Joseph Barne another; to both of which he pleaded

GUILTY. Aged 21.—Confined Six Months.

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106. SAMUEL GEORGE BAILEY was indicted for stealing, (22nd of November, 4 spoons, value 2*l.*, the goods of Joseph Savor another, his masters.

JOHN ROBINSON. I am shopman to Joseph Savory and Albert S: silversmiths, in Cornhill. The prisoner was a porter in their emplo had been so about a week—on Saturday last an officer came to our l and searched the prisoner, and found on him a ticket of some spoons- George Attenborough was outside the door—he was called in, an(duced the spoons—they belong to Joseph and Albert Savory.

GEORGE ATTENBOROUGH. I took these in pledge of the prisoner- I suspected him, and followed him, and gave information.

Prisoner. I should have redeemed them with the first quarter's v

(The prisoner received a good character.)

GUILTY. Aged 26.—Confined Six Months.

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107. CHARLOTTE MEAD was indicted for stealing, on the 2(November, 1 purse, value 6*d*, and 1 sovereign; the goods and mor Susannah Wicks.

SUSANNAH WICKS. I am single, and live in East-street, with my sin. The prisoner was servant in the house—on Sunday evening, the of November, I put my purse, containing a sovereign, on my table i: bed-room—the prisoner slept with me—when I got up in the mornin purse was gone—the prisoner was there—her master and mistress been in the room—she went away that evening, and did not retur went to her with the officer—I did not hear what she said, but I sav *give the purse* up—the sovereign was gone.

JOHN NASH (police-constable D 129.) I went to the prisoner, and

"You know what I want you for"—she said she did not—I said, "You are charged with stealing a purse and sovereign, you must go to the station-house"—she said, "It is no use my telling a lie"—she took the purse out of her bosom, and told me she had bought a pair of boots out of the money for 5*s.* 6*d.*, and this shawl was 7*s.*—there was 2*s.* 6*d.* in the purse, and 5*s.* she had spent at the play.

Prisoner. I found the purse between the two kitchens, as I was going from the bed-room, and I intended to give it to her again.

GUILTY. Aged 16.—Confined Six Months.

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108. RICHARD MARTIN was indicted for stealing, on the 15th of November, 1 watch, value 1*l.* 10*s.*; 1 watch-chain, value 1*s.*; 2 watch-keys, value 6*d.*; 1 pair of boots, value 10*s.*; 1 waistcoat, value 4*s.*; 1 handkerchief, value 6*d.*; 1 towel, value 1*d.*; and 2 handkerchiefs, value 2*d.*, the goods of George Edgley.

GEORGE EDGLEY. I am cow-man to Mrs. Wetherall, and sleep over the cow-house. I had a watch and chain, two keys, a pair of boots, and some other things, on the 15th of November—I saw them safe when I got up at half-past three o'clock in the morning, and left these things safe in the loft above the cow-house—I returned home a little before seven o'clock, and they were all gone—the gates are left undone in the morning, when we go out—I did not know the prisoner—this is all my property.

MARY WETHERALL. I am a widow, and live at No. 11, Little Marylebone-street, and am a cow-keeper—the prosecutor is my cow-man. I know the prisoner—he came once to work on my premises while a man was ill—on this morning, the 15th of November, I saw him come out of the gates, at half-past six o'clock, with a bundle—I ran out after him, round the next street, and cried "Stop thief"—a boy that is here ran after him, and he was overtaken, and the bundle brought back—I asked him what made him do it—he said he wanted to be transported.

JAMES COLE. I live in Great Chesterfield-street. I heard the cry of "Stop thief," and saw the prisoner running—I ran, and he dropped this pair of boots—I did not pick them up, but followed him to Great Marylebone-street—there he dropped the handkerchief, towel, and waistcoat—I picked them up—I still ran on, and between Marylebone-street and Wimpole-street a policeman caught him—in our return the policeman picked up the boots—the watchman picked up the watch in Westmoreland-street.

HENRY NEEDHAM. I am a watchman. I picked up the watch in Westmoreland-street, in the road the prisoner had run.

Prisoner. I was in distress.

GUILTY.* Aged 19.—Transported for Seven Years.

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109. GEORGE WATERS and ELLEN WATERS his wife, were indicted for stealing, on the 19th of November, 11 pairs of trowsers, value 4*l.* 6*s.*; 1 pair of breeches, value 8*s.*; 8 waistcoats, value 1*l.* 14*s.*; 5 jackets, value 1*l.* 2*s.*; 17 shirts, value 1*l.* 16*s.*; 7 pairs of stockings, value 7*s.*; 1 other stocking, value 6*d.*; 2 tea-pots, value 3*s.*; 18 knives, value 6*s.*; 18 forks, value 3*s.*; 1 candlestick, value 1*s.* 6*d.*; 1 pocket writing-case, value 1*s.*; 2 pairs of snuffers, value 9*s.*; 1 ink-stand, value 1*s.*; 1 hatchet, value 6*d.*; 1 brush, value 1*s.*; 15 chimney ornaments, value 12*s.*; 1 tea-tray, value 1*s.* 6*d.*; 2 glass tumblers, value 18*s.*, 6 wine-glasses, value

4*s.*; 1 goblet, value 1*s.*; 6 salt-cellars, value 6*s.*; 2 sugar-basons, value 4*s.*; 1 plate, value 1*s.* 6*d.*; 1 egg-cup, value 3*d.*; 2 kaleidoscopes, value 1*s.*; 4 mustard-pots, value 4*s.*; 1 pepper-castor, value 9*d.*; 6 shells, value 3*s.*; 1 work-box, value 3*s.*; 28 spoons, value 10*s.*; 1 apron, value 2*s.*; 1 printed book, value 6*d.*; and 1 scent-bottle, value 1*s.* 6*d.*; the goods of Robert Giles.

ROBERT GILES. I am a general salesman, and keep a shop at No. 49, Hedge-row, Islington. On Tuesday, the 19th of November, about half-past ten o'clock in the morning, I was looking through a hole which I made in my window, which separates my kitchen from the prisoner's parlour—they live next door to me—(the window was painted, and I rubbed a bit off to look through)—I saw a goblet which belonged to me, and which I had missed on the Sunday—the policeman and I then went into the prisoner's house, and there I found numerous articles belonging to me; there were eleven pairs of trowsers, a pair of breeches, eight waistcoats, and a quantity of articles — they are here now—I saw the female prisoner, and told her I understood there was a trap-door communicating from their house to mine, I wished to see it—she asked us to walk up stairs, and showed a place which she said she believed to be the place—the policeman then said he wished to see her boxes and drawers, and in every box and drawer I found something belonging to me—I found a quantity of glass in a glass case of hers—I believe they are man and wife—some of these boxes were locked—I think she took the keys from her pocket—I could not speak positively to that—shortly after the male prisoner came in—the policeman made some remark to him, and told him he was in custody, and that it was an unfortunate thing for him—he made no particular answer—the policeman showed him some articles that were found—I went into the yard, and found some baskets, and there was a number of articles in two of them belonging to me—I did not go through the trap-door—it communicates with my house—I can lift up the trap in my kitchen—it communicates from there to their bed-room—I did not know of it before—I have been there about twelve months, and have been losing property all the time.

Cross-examined by MR. DOANE. *Q.* Do you know how long this man has been there? *A.* I believe six or seven years—I know he carries goods about in a van—he has occasion to be from home frequently, and when at home he has to attend the horse in the stable there—three pairs of snuffers I missed on Sunday week—they have each my mark inside them—when I sell them I remove this bit of card—the other things I missed at various times—I went to this house on the Tuesday following after the Sunday—we had not completed the search when the man came in—these snuffers were in one of the baskets found in the yard—I have nobody in partnership with me—I missed several of these things on the Sunday, but some I missed ten or eleven months ago—here is another work-box that I found between the rafters—I missed that on Sunday too—the man might not have seen the things—he could not go into the bed-room without seeing the glass-case which contained a quantity of glasses of mine—he might not have known that the bulk of the property was in the house.

COURT. *Q.* What did the woman say? *A.* She said, when we first went in, "What does Mr. Giles expect to find here?"—I found a shirt afterwards, between the bed and the matting, that their boy had been wearing—that was after the prisoners were in custody—the property was quite *concealed—the two* baskets were among twenty or thirty others, piled up

in the yard—this goblet was on the mantel-piece—all these quantity of things, these mustard-pots and glasses, were in the glass-case—any body going to bed must have seen them—it had been a book-case, I believe, and had a glass front to it—I do not know who lived in the house before me.

HENRY ALLEN (*police-constable N* 250.) I went with the prosecutor, through the prisoner's house, and helped to take this property—I told the female prisoner we wanted to see a trap-door leading to the prosecutor's—she appeared very confused, and went up stairs, and said she believed it was under the bed, and while I was doing that, Mr. Giles went to the glass-case—I told the female prisoner I should take her into custody—she produced some keys I do not recollect where from, and opened the drawers—we found a teapot and some things in I believe every box and drawer this box was between the roof and the ceiling—the man came in, and I told him he must consider himself in my custody—he appeared confused, and made little or no answer—he said he knew nothing at all about it—Mr. Hingston lived in the prosecutor's house before him, and he is a prosecutor here to day in another case.

JOHN COLLINS (*police-sergeant N* 24.) I went to the premises on the Thursday following and found a quantity more property.

James Burt, a fishmonger, gave George Waters a good character.)

GEORGE WATERS—GUILTY. Aged 49.—*Recommended to mercy by the Prosecutor.*

ELLEN WATERS—GUILTY. Aged 35.

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110. GEORGE WATERS and ELLEN WATERS, his wife, were *again* indicted for stealing, on the 13th of December, 2 trays, value 3*s*.; 1 candlestick, value 2*s*.; 2 book-shelves, value 1*s*.; 1 pack of cards, value 6*d*.; 1 set of fire-irons, value 3*s*.; 1 flute, value 1*s*.; 2 goblets, value 1*s*.; and 1 reflector, value 1*s*.; the goods of Frederick Hingston.

FREDERICK HINGSTON. I live at No. 23, Chapman-street, Liverpool-road. I did live at the adjoining house to the prisoners, and left it on the 13th of last December—I had been there four years—I knew there was a trap-door there—it was originally made for a ladder to lead to an upper room, and when the person that had it made left, it was fastened down, as I supposed—I lost some articles of value—I lost money from my till between Saturday and Monday—I lost 5*l*. 6*s*. on one occasion—on the day I moved I employed the male prisoner to assist—one day I went with a candlestick and candle into the house, and when I came in I missed it—I spoke to the female prisoner, who was at the door, she said she saw nothing of it, but she saw two boys, and drove them away—these book-shelves I lost from my door—this reflector was taken from a drawer in my parlour, and this flute was found at their house, and the pack of cards—they bought one flute of me, but that is at their house now—this is all my property.

Cross-examined by MR. DOANE. *Q*. The candlestick was taken when the man was not at home? *A*. Yes—this candlestick I found at their house—some of the things were at my door—the tea-trays were, and they may have gone the same way as the candlesticks did.

JOHN COLLINS (*police-sergeant N* 24.) I found this flute behind the door in the top room, and this pack of cards in a box behind the door, and the set of fire-irons were behind the box, and two book-shelves in the same room, lying in one corner *of the top room, which is the boy's* bed-room.

HENRY ALLEN (*police-constable N* 250.) I found the trays in the bed-room—the big one was standing up, and the small one lying down on a chest of drawers.

MR. DOANE *called*

RICHARD HINGSTON. I am the prosecutor's brother. I have seen these two tea-trays—I believe I sold the larger one myself about two years ago—I believe it was to the male prisoner for 3*s.* 6*d.* or 4*s.*—it has my mark on the back of it.

FREDERICK HINGSTON *re-examined.* I cannot say when I had seen these trays before—I had not seen them for some time since—this small tray has not been sold—it has my mark upon it—the other my brother may have sold—he had the care of my shop when I was out—I had not missed any of these things but the candlestick.

George Waters. I picked up the reflector in the yard.

Ellen Waters. My husband knew nothing of it whatever—whatever is wrong he knows nothing about it—he asked me about the goods, and I said I bought them—he was ill four months in the country.

RICHARD HINGSTON. I think the man might not know of it—he was out from morning till night very often, and could not tell what was done.

(Richard Perkins, an upholsterer, gave George Waters a good character.)

GEORGE WATERS—GUILTY. Aged 49. } Transported for
ELLEN WATERS—GUILTY. Aged 35. } Seven Years.

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111. TIMOTHY SMITH was indicted for stealing, on the 11th of November, 2 rings, value 30*s.*; and 3 sovereigns, the goods and monies of Hannah Jones.

HANNAH JONES. I am a widow, and live at No. 8, Park-street, Dorset-square. On Saturday morning, the 11th of November, the prisoner came to my house for a lodging-room—I took him up stairs—he looked at the apartment, and I agreed to let him have it—he found fault with the ceiling, and said that it wanted whitewashing—he said as he was in the trade he would do it for half a crown and leave half of it as a deposit, I said, "Very well"—he said he should wish to come in on Monday, and he would do it that day, I said, "Very well"—he said he would come again in two or three hours, which he did, about half-past two o'clock—he brought his pail and things, and washed it—he came down to me and asked for 1*s.* 6*d.*, which I gave him—I went down stairs to wash my hands and heard the street door go—that roused my suspicions—I went up stairs and asked my little girl if the man was gone, she said she did not know—I ran up stairs and looked into my drawer, and missed three sovereigns and two rings from the same drawer—it was not in the same room as he was in—I went out into the street and could not find him—I sent for the policeman.

Cross-examined by MR. DOANE. *Q.* Soon after he was gone, and you missed the things, did not his wife come, and bring back the three sovereigns, and the two gold rings? *A.* Yes, she did, within half an hour—the policeman was in my house at the time—I have made inquiry, and find they are in a most miserable state, and his wife was in a most distressed state of mind—I should not have been here had I not spoken to the policeman.

PATRICK JENNINGS (*police-constable D* 123.) I was sent for by the prosecutrix, who said she missed three sovereigns and two rings—while

unfortunate girl. About half-past two on the morning of the 24th nber I met the prisoner in St. Martin's-lane—he said he wanted lodging, and I hesitated, but a young woman with me called me, ted me to take him to my room—we had one pint of beer in hen we got home, I had not been there long before he wanted me he room, and go and get a pint of beer—"I would not," I said, "I the room to any one"—he then took me up and threw me against —I had been in bed—I got up and tried to get my pocket—he e, pressed me down to the bedstead, and ill-used me, and took d. out of my pocket, which he had given me, and took another besides, and ten duplicates—I got out of the room, and called oung woman to get a policeman, and we went in, but could not duplicates nor the money—the prisoner put on his coat, and et me look"—he took the candle, and said, "Let me look" t to the place we had been looking in, and said, "There they t they could not have been there, or we should have seen them— t was under my pillow—he showed two shillings, two sixpences, farthing, which he said was his own.

er. *Q.* Did you not give the other girl 1*d.*? *A.* Yes, and told ad more she should have it, but I did not wish to give her all I uenched the light before I undressed myself—you felt me put my der the pillow, and asked what I was doing, and I made you er—you was not in bed ten minutes before you threw me he wall—you gave me the 1*s.* 6*d.* to stop there all night—it was r the head of the bed that you picked up the glove and money— y the side of the bed, and if it had been there we must all have and trod upon it.

ner. *Q.* Did you not tell the policeman that you lost only nine es? *A.* Because I forgot one which had been given me on the y night—I said if you gave up the money and the duplicates before

candle, and said, "Let me look for them," and he stooped down and took them up close at my feet, at a place I had looked in before.

DANIEL MAY. I produce this certificate of the prisoner's former conviction—(*read*)—the prisoner is the man—he was tried, and sentenced to be transported for life.

Prisoner. I plead guilty to that.

GUILTY. Aged 24.—Transported for Life.

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113. MARGARET PRINCE and CATHERINE DEMPSEY were indicted for stealing, on the 6th of November, 1 gown, value 3*s*., the goods of James Francis Thompson.

JOSEPH CASHMORE. I am in the employ of James Francis Thompson of Crown-street. At half-past six o'clock, on the 6th of November, I was behind my counter, and saw Prince come into the shop, and take this gown off the bar—I went round the counter after her—she walked to the door, and gave it to the other prisoner, who walked on—I accused her of taking the gown off the bar—she said she did no such thing, but she was looking at a pocket handkerchief—I left her with one of our young men, and followed Dempsey, who crossed and went to a shoe-shop—I asked where the gown was—she said she had no gown, and had not seen her friend—I went for a policeman, and while I was gone, the policeman of our beat came, and found the gown where I had seen Dempsey—I did not see Prince give it her, but I saw her turn round and speak to Dempsey, and then, when she turned round, Prince had not got the gown—the gown was found at the shoe-shop where I saw Dempsey go to—no one but Dempsey could have put it there—I did not see Prince pass any thing to Dempsey, because her back was to me—I know no one else took the gown, because no one else was at the door, and I went after her.

Prince. *Q.* What is the reason you did not take the gown from me, if you saw me give it to Dempsey? *A.* I came to you and asked you for it—you said you had no gown—there were persons in the shop, but I saw her take it off the bar, and walk to the door.

Dempsey. A quarter of an hour after he had a man taken up, and said he had been with me. *Witness.* There was a man brought in who had been seen in their company, but he was let go.

WILLIAM BRILL (*police-constable S* 72.) I was passing the street, and saw this gown under Mr. Burchen's window, which is the shoe-shop—I took it up and walked by Mr. Thompson's, and saw the two prisoners there, and they were given in charge.

JOSEPH CASHMORE *re-examined.* Our shop is from twenty-five to thirty yards from Mr. Burchen's—I did not see Prince go to Burchen's—she was at our door, and then Dempsey crossed to the shoe-shop, and this was taken up there.

JURY. *Q.* Did you lose sight of Dempsey from the time of her quitting the door to going to Burchen's? *A.* No—I saw her go direct over—she walked slowly and looked in at the window—she said she had seen no gown nor girl, and when I brought her over to the other she said she had just met her.

PRINCE—GUILTY. Aged 16.—Confined Six Months.

DEMPSEY*—GUILTY. Aged 14.—Transported for Seven Years.

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114. JOHN NEWMAN was indicted for stealing, on the 20th of November, 1 £5 bank-note, the property of John Streatfield.

t it at that time—the wax is in the same state as I received it.
t-examined by Mr. Clarkson. *Q.* Are there other people living in chambers? *A.* Yes—the two Mr. Pocock's, Mr. Manning, and gentleman — I believe there was no other boy there but the —his mother and grandmother were there—I received this letter half-past five o'clock on Monday the 20th—I took no notice of the of the letter at the time I received it—I put it into a drawer, and it ed there till the Thursday morning, during which time I had not d to see the state of the seal—I am certain I locked the drawer, and ined locked till Thursday, when it was opened before my brother— in the chambers—I am not quite sure that I told the Magistrate e prisoner said he would ask his mother and grandmother, and that a serious thing—what I said was read over to me, and I signed it— not asked whether I had any thing to add—it might be, and I not —(*looking at his deposition*)—it does not appear by this that I said so and I do not recollect that I did—I generally carry my keys with me have sometimes fallen out of my pocket, but very seldom—I am not that I ever leave them in my desk—I am quite sure I did not go to rawer between the Monday and Thursday—I opened my chambers eight o'clock.

ID Wilkinson. I am clerk to Samuel Stratton, Esq., of No. 27, n's Inn-fields—he is out of England at present. I remember receiv- is draft, on the 20th of November, for £65, on Messrs. Snow—I nd got it cashed that day—I received four £10 notes, and five £5 —I took the money to the chambers, and locked it up in my desk— afternoon, about five o'clock I enclosed it in an envelope, and directed Mr. Streatfield, and sealed it with a small head seal—this is not the put on, I can decidedly swear it—I delivered to the prisoner 10 and five £5 notes—I am positive there were five £5 notes—on ursday after I saw Mr. Streatfield, I saw the prisoner, and said, is a pretty go"—he said, "I know nothing about the note; I have

before I put them into the envelope—I said to the prisoner, "Her a pretty *go* about this parcel"—he immediately replied, "I have not ta the note"—there is a slight mark of the impression I made on the wax· appears to have been exposed to the candle—I think there has been a li addition to the wax—there are other persons go in and out of Mr. Stratt chambers besides myself, in the way of business—I received the mo between twelve and one o'clock, and inclosed it about five o'clock—I occasion to go to the west end of the town, and saw her Majesty go to House of Lords—I went from the chambers in company of my wife— was not in the chambers—I went from the dwelling-house—nobody w with me from the chambers—before I went out I shut the outer door did not take the number of the notes.

JURY. *Q.* Where did you put the envelope? *A.* Into the prison hands.

MR. CLARKSON *to* JOHN STREATFIELD. *Q.* Does the prisoner rec any wages from you? *A.* No, he does not, but I give him clothe I should say I could not command his services—I did not enter into agreement with him—I pay somebody else—the woman engages to necessary things, and the prisoner is employed to go on errands.

COURT. *Q.* Who is your landlord? *A.* Mr. Stratton—I pay him a cert sum, and have this accommodation provided for me—it was agreed that Stratton was to find me a servant to do what I wanted—it is Mr. Pococ house—he sub-lets it to Mr. Stratton, who sub-lets it to me—I did not ag that a boy was to be found for my purposes—the mother and grandmot find the boy—it was agreed with Mr. Stratton that he should wait upon —he waited upon me as servant.

CHARLES WARD. I am a clerk to Messrs. Snow. On the 20th November Mr. Wilkinson brought me a cheque for £65—I paid him £10 notes and five £5 notes—I paid a cheque to Mr. Wright for £20- have the number of all the notes—the number of the one missing is 161 dated the 6th of October, 1837, for £5, which was among the notes I g to Wilkinson.

Cross-examined. *Q.* You did not take down the numbers of them? did not put the numbers into my book, but they ran on in a certain strea I should not have been able to give anybody the number of this if I had not prayed in aid, and the numbers of the notes I gave to Wright.

HENRY WRIGHT. I received two notes, and I have showed them to clerk.

Cross-examined. *Q.* He had not taken the numbers of the notes? I do not know.

MR. CLARKSON *to* CHARLES WARD. *Q.* What is the number of on these? *A.* 16163—that was the first.

COURT. *Q.* Where did the numbers begin and end? *A.* From 16 to 16,169 inclusive—they were all £5 notes, given to the two parties.

MR. CLARKSON. *Q.* Have you any means of knowing the fact, ex by referring to the notes in the hands of Mr. Wright? *A.* Yes—there is hand-writing to the first note—there is no number put to the notes in book—I could not have made a mistake, and not paid the notes in a str —the balance of the day would point it out—I have no book or pap Mr. Snow's that will enable me to state the number of the notes.

COURT. *Q.* How do you know them? *A.* The first note had a on it, which was made the previous night—that is 16163, and that wa

is Edward Berkley, clerk to Innes and Pocock, solicitors; Henry t Murray, Esq.; and Charles Collins, gave the prisoner a good r.)

Y. Aged 19.—*Recommended to mercy by the Jury and Prosecutor.*
Confined Three Months.

THOMAS TAYLOR was indicted for stealing, on the 23rd of , 10lbs. weight of chrome yellow, value 10*s.*; 2lbs. weight of Prus-*e*, value 6*s.*; and 1lb. weight of vermilion, value 5*s.*; the goods of ıdolphus Durien.

s ADOLPHUS DURIEN. I am an oil and colourman, and live in ane. On Monday, the 23rd of October, the prisoner came to my nd asked the price of the articles named in the indictment, and an-he then stated that if certain quantities were packed up and sent m to High-street, Marylebone, the money should be returned—this yellow and the Prussian blue and vermilion, were sent with him ' young man, about eleven o'clock—the young man returned soon nd brought neither money nor colours—he said the man had eluded

s-examined by MR. PHILLIPS. Q. He had dealt with you a long time? lieve not—I have known him perhaps a year or eighteen months by he got goods from us at prices which enabled him to sell them again ofit—on one occasion I sent a parcel of goods in the same way, and ney came back—every other transaction has been paid at the counter d not make an invoice of these goods—I made a memorandum for ung man's governance, and gave it him—I told him not to return it the money.

:AT. Q. When did you see the prisoner again? *A.* Not till he custody—I did not know where he lived—his own terms were that ods were not to be left without the money.

front door—he went in, and I waited there about three quarters of an h when I saw the barman—I went to the door, and the prisoner was gon I did not see him again until the 4th of November—I first of all secure policeman, and then went and tapped him on the shoulder, and asked wl our colours were—he looked at me, and said nothing—I said he was policeman's prisoner.

(The prisoner received a good character.)

GUILTY. Aged 40.—*Recommended to mercy by the Jury.*
Confined Six Months.

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116. GEORGE BROWN was indicted for stealing, on the 14th of vember, 1 box, value 1*s.*; and 300 gimlets, value 16*s.*; the goods Alexander Cowan.

ISAAC COWAN. My father keeps a shop in Aylesbury-street. Friday evening, at half-past seven o'clock, while I was in the parlour, girl went to fetch the water—she came back and told me something—I out, and saw the prisoner carrying the box in his hand—I know that it is my father's—he used to keep the gimlets in it—I spoke to the priso and he put it on the pavement, and ran off—this is the box.

ALEXANDER COWAN. This is my box. It had three hundred gimlets i —I have a shop-window which is glazed, and under that a door whic open, and the box was pulled out from underneath there, quite under bow of the window—my little boy caught the prisoner first, and said, "H he is"—he put down the box, and ran off—I pursued, and took him— said he did it from distress.

GUILTY. Aged 22.—Confined Three Months.

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117. JOHN FENGE was indicted for stealing, on the 11th of vember, 1 basket, value 4*s.*, and 10 loaves of bread, value 5*s.* 3*d.*, the go of John Ruffett.

JOHN PARKINS. I am journeyman to John Ruffett, living in Buck-r Whitechapel. On the 11th of November, I was out with my basket bread—I left it against the Red Cow, and went up a little street to ser customer, and when I came back, my basket and ten loaves were gone did not know where it was gone till the Monday morning, when I Morgan, and he told me he saw the prisoner with it—I found the bask week afterwards—it was my master's basket—I saw the prisoner just fore he took it, and spoke to him.

Prisoner. I was coming along Whitechapel-road—a journeyman ba asked me to carry this basket for him, which I did—I carried it a little —I do not know the man that I took it from—he gave me a pint of b and I carried it to Jubilee-place, when he took it and went on.

JOHN MORGAN. I am journeyman to Robert Pringle, of Globe-r a baker. On the 11th of November I was coming through Cut Thr lane, and saw the prisoner with a basket on his back, running—I thou there was something in the basket—I called to him—he nodded and w on—on Monday morning the prosecutor met me, and I told him wh had seen—I went after the prisoner on the Monday, I found him, and as him whether he was in work—he said, "No"—I said, "Were you whe *saw you going with* that basket?"—he said, "Yes, at Mr. Wittenbur

in the Commercial-road, you may go and see whether I was not"—I went with him—when we got there he said, "You intend to go in?"—I said, "Yes, with you"—he was going off—I said, "No, you are not going now" he went back with me some distance, and then started off again—I pursued, and took him into the Captain Cook, and there I gave charge of him.

Prisoner. He drank with me there, and said he would make money of me.

Witness. I was quite out of breath, and I had a pint of beer, and gave him part of it as I would do again.

GUILTY. Aged 20.—Confined Six Months.

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118. WILLIAM COLLINS and THOMAS DIGGER were indicted for stealing, on the 15th of November, 1 handkerchief, value 3*s.*, the goods of Joseph Rice, from his person.

JOSEPH RICE. I live in Cannon-street. On the evening of the 15th of November I was in Oxford-street, opposite Sowerby and Williams's—I stopped with a friend a minute or two—I had my handkerchief in my pocket just before—I missed it at that time—this is it.

JOSEPH LEATHART. I live in Bath-place, Bayswater. About six o'clock this Tuesday evening I was in Oxford-street, and saw the two prisoners together following a gentleman, and at a board I saw them put their hands into a gentleman's pocket—I then went on after them—they went on to Regent-street—I watched there some time, but came away, and then went to Mr. Rice, in Oxford-street—there Collins put his hand into his pocket, but did not get any thing out—they then followed him on to Sowerby's, and there they got close together, and I saw they had got something out—I took them both, and Collins dropped the handkerchief, the other got away—I pursued Digger down Berwick-street and he threw down another handkerchief—I took it up, and then followed and took him—I brought him back to the prosecutor.

Collins. I never saw Regent-street that night, nor the handkerchief.

Digger. I was with him, but did not know that he had taken this handkerchief, and then I ran off—the witness came after me, and in going back he took it up in a door-way.

Witness. No—it was in running after him.

CHRISTOPHER WIDDENBURN. I am a policeman. I took the prisoners, and have the handkerchief.

Collins. I am innocent of the crime.

Digger. I was with him, but did not know he took the handkerchief.

COLLINS*—GUILTY. Aged 17.—Transported for Ten Years.
DIGGER—GUILTY. Aged 18.—Confined Six Months.

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119. BENJAMIN GOODE was indicted for stealing, on the 2nd of November, 3 printed books, value 3*s.*; 3lbs. weight of paper, value 1*s.*; and 3 cards, value 1*s.*; the goods of Thomas Stanley, his master.

MR. DOANE *conducted the Prosecution.*

THOMAS STANLEY. I am a master printer, carrying on business in Veal-Staff-yard, Farringdon-street. I was examined before the Magistrate at Worship-street—I first saw the *prisoner about seven* months ago

—he applied to me to be taken into my service about that time, under the appearance of very destitute and miserable circumstances—he told me he had been very badly used by his brother, who had deducted his wages, and did not give him what was due to him, and for some months he had not been on speaking terms with his own parents—he had a portion of his apprenticeship to serve, and as I had known his brother I took him into my service as a pressman—he continued with me about six months—almost from the first of his coming to my employ, I began to miss remnants of works and papers—I had never missed any before, and have not since he left me—I have other people in my employ, and could not tell who to suspect—on the 13th or 14th of November, I went to No. 23, Gee-street, the prisoner's lodgings, and found two Nautical Magazines, and this other property, which I can identify—here are three Sermons on the New Marriage Act, they appeared as waste paper; and here are different bills which he had to post for me, but he had not posted them, he had kept them for purposes of his own—this is waste paper, here is the Narrative of the melancholy Shipwreck of the ship *Charles Eaton*—that was found at Islington—I went there because I knew he had a box there—the policeman got the key from his wife—she was present when we went to the house, and gave us the key in his presence—in the box we found the Narrative of the *Charles Eaton*, some waste paper, and three cards, show cards or boards—they are mine—I did not exactly miss any of them, but the moment I saw them I knew they were mine—I had never sold them, or given him any authority to have them—I cannot tell how shortly before I saw them in my place, but I am sure they must have been there—these are August and September Magazines, and must have gone since that time.

Cross-examined by MR. PHILLIPS. *Q.* You knew his brother a considerable time? *A.* Yes—perhaps eighteen months—I knew he had the prisoner as an apprentice—I did not go to his brother to tell him he had applied to get into my service—I did not employ him at less wages as an apprentice, but at the usual trade wages—the last year of his time he received one-fourth less than his earnings—his wife was near her confinement—I saw her when he came to me—I did not frequently visit her—I have never been any thing but a printer, I was never in the theatrical line—I never said so—I will not say I have not been connected with the theatre as others have, as an amateur—I believe I did act, but never but once—that was not a first-rate part—it was in Leamington, in Warwickshire—I have been at Bristol, but never played there—nor at Clifton—I sent a bottle of wine and a note by the prisoner to his wife just after her confinement—I had remarked losses before I sent the bottle of wine and note to his wife—I never proposed to the prisoner that he should take one-half of his wages, and I should take the other half to his wife—the prisoner proposed it to me, and I did it, and went in person to pay the wife—I was godfather to the child—it was named "John Thomas Stanley"—my name is Thomas Stanley—this might be three months after the prisoner came to me—I did not take a lodging for the wife and tell the prisoner it would be more for his happiness if he went and lodged in another lodging, which I took—I was not aware that they lodged in separate lodgings—I did not always find the prisoner there—I do not think he came home and found me there above half a dozen times—I never saw the wife alone—Mrs. Goode's mother took her to Gravesend at her own expense, as far as I know—I did *not advance 30s.*—nor never said so—I was at the prisoner's house on the

night Miss Bruton produced two magazines—I expected the prisoner would be at home—I do not think I staid two minutes with the ladies before he came I had made no arrangement with Miss Bruton and the mother and the wife that Miss Bruton was to say, "By-the-bye, Mr. Goode, I shall return the two books you lent me"—I had nothing to do with it—I did not expect that she would do it—I saw these magazines first on the morning of the 10th of November, I think—I called on the prisoner to inquire whether he had posted a number of bills advertising the "Nautical Magazine" for me—I was shown into the parlour by Miss Bruton, and the first thing that caught my attention, was the "Nautical Magazine" given—I made no remark about it—I called in the evening, and had numbers of the "Nautical Magazine" in my hand, and Miss Bruton and the prisoner were there—I had not been there two minutes before Miss Bruton brought up the books—the sight of these books in my hand might put her in mind of it—I believe it was to Mr. Tillinghurst that she said, "By-the-bye, here are the two books you were good enough to lend me"—she did say so—I knew Mr. Goode lodged there I was not in the habit of frequently visiting there—perhaps the whole number of times may have been a dozen, both in the presence or the absence of her husband—I had no idea that Miss Bruton would produce these books—I did not speak to her about it before Mr. Goode—she did not say that she would go and fetch the books that Goode had lent her to read—the prisoner followed her down stairs, and came up again with the books—he had them in his pocket, I believe—I asked him for them, because he followed Miss Bruton down, and because I had seen them in the parlour that morning—I asked what there was of so much importance in these books that I might not see them—he said, "They are something of my own"—I said he need not try to hide the truth of the matter, I had seen the books down stairs in the morning—he then said that Cross, the warehouseman, gave them to him—I had not been to the prisoner's lodgings in Islington, the morning of the day I got the two magazines—I do not know that his wife ever lived at Islington—we were never together in any house in Islington—I knew Mr. Farr lived where the prisoner lodged—I was never there but with the policeman I have seen the wife three or four times since the husband was taken up, at her lodgings—he was taken on Tuesday, and examined on Wednesday, and we wanted some duplicates, and we thought that a young man we wanted might be about Gee-street—I went there with the policeman, and the wife's mother and father were there—I have been without the policeman to visit the mother, and saw the wife at her mother's house, but I never saw her alone—on the first night we went to Worship-street, I drank tea with his wife I went several times—three or four times without a policeman, and drank tea at her mother's house—I remember the prisoner's father and brother coming in and finding me at tea there—I don't remember the woman saying she would keep company with whom she liked I will not swear it was not said. NOT GUILTY.

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120 JOHN MARTON was indicted for stealing, on the 6th of November, 1 snuff-box, value 5*s.*; and 1 smelling-bottle, value 5*s.*; the goods of Thomas Howland, from the person of Henry George Howland.

THOMAS HOWLAND. I live at No. 2, Heathcote-court, and am a porter. I have known the prisoner some time—I had this smelling-bottle and snuff-box I was going to raffle them—my wife was *going to bed*, and I thought I put these up to be of *use to her—I asked the prisoner* to make a

member—he said, "By all means," and he put his name down, and s "If you let your little boy put them into a bag, and go with me, my fa and mother will become members;" and I sent him out with them—was on the 6th of November—I did not see him again till the 14th—I v to the station-house, and they told me I might take him—he had given a wrong direction—I went, on the 14th, and took him to Bow-street—duplicate was found on him, and that led to the pawnbroker.

HENRY GEORGE HOWLAND. On Monday, the 6th of November, father gave me this bottle and snuff-box, in a bag, to go with this yo man to show his father and mother, who would be members—we v on to a court in the Strand, and he took them from me, and said, "S there; if my father and mother make members, I will call you"—I stop half an hour, and he did not come—I then went and told my father.

Prisoner. I did not take them from him—he gave them to me—said, "Take them and show your father and mother."

THOMAS DICKINSON. I am shopman to Mr. Christopher Lamb Stanhope-street. I have these articles, pledged by a person I believe t the prisoner—this is the duplicate I gave—they were pledged in the n of "John Burton, No. 16, Vere-street," on the night of the 6tl November.

JOHN TUCK (*police-constable F* 79.) I took the prisoner, and fo the duplicate of these things on him.

GUILTY. Aged 19.—Confined Three Months.

Fifth Jury, before Mr. Sergeant Arabin.

121. JOHN SULLIVAN was indicted for stealing, on the 28th of vember, 9lbs. weight of bacon, value 4*s.*, the goods of Francis Baten to which he pleaded

GUILTY. Aged 14.—Transported for Seven Years.

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122. JAMES STANTON was indicted for stealing, on the 22nd of vember, 2 cushions, value 10*s.*, the goods of Robert Underdown.—COUNT, stating them to be the goods of John Morgan; to whicl pleaded

GUILTY. Aged 41.—Transported for Seven Years.

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123. ROBERT BOORER was indicted for stealing, on the 14th of vember, 1 pair of shoes, value 3*s.*; 1 pair of boots, value 5*s.*; and 2 p of uppers for boots, value 4*s.* 6*d*; the goods of Charles Casey, his mas

CHARLES CASEY. I keep a shoemaker's shop. The prisoner was in service as journeyman for some years—my shop is in one of the room stairs—I had information that he had been taking away boots and sl for some time—he worked in my house—I suspected all was not righ the 14th of November, and he was out all night—in the morning I s "Robert, what did you do with those boots you made yesterday?"—said, "I did not make any"—I said, "One pair, I believe"—he s "Yes, they are up stairs, I will go and fetch them"—I said, "I will with you"—when we got up one pair of stairs, he said, "It is use going any further, I made away with them; I wanted 2*s.* to lend a frie —these two pairs of uppers I found at the back of a pair of drawers he used himself.

Cross-examined by MR. PAYNE. *Q.* Did he seem as if he had been drin *over night?* *A.* I do not think he was given to drink—he had been wit

hat, are you finishing off?"—he said, "Yes; I should not finish but this pair is wanted in the shop down stairs"—I went down, ssed through, and did not deliver his work.

EW PEAKE. I am a policeman. I took the prisoner on the earched him, and found a duplicate of a pair of shoes pledged at Mr. —I asked where he got it—he did not give any account then, but ice he said he picked it up—it bears date "February 27, 1837."

ES CASEYE *re-examined.* These uppers are mine—we cannot find —he told me he disposed of them the night before, as he wanted man 2*s.*—he had got 19*s.* odd coming to him, which he could have e had asked for it—he said he pawned them, and could not tell

NOT GUILTY.

THOMAS M'CLURE was indicted for stealing, on the 11th of er, 3 table-cloths, value 12*s.*; 4 towels, value 2*s.*; 1 pair of value 10*s.*; 2 pillow-cases, value 1*s.*; 1 flannel waistcoat, value pair of drawers, value 5*s.*; 1 window-blind, value 6*d.*; 1 bed- alue 2*s.*; 3 cravats, value 3*s.*; 16 handkerchiefs, value 13*s.*; 2 stockings, value 3*s.*; 2 shifts, value 4*s.*; 2 habit-shirts, value 3*s.*; coat, value 1*s.*; 1 cap, value 2*s.*; 2 aprons, value 1*s.*; 12 pairs of value 3*s.*; 1 basket, value 1*s.*; and 1 wheelbarrow, value 10*s.*; ds of Elizabeth Maria Cooke; and that he had been before con- of felony.

ES CROME. I live in Duke-street, Westminster. On the 11th of ber I was employed to take two baskets of linen for Eliza Maria —one to Mr. Carbonelle's, in Maddox-street—I stopped at an to leave one, and while I was in there I left the other bundle on the —I was not gone in five minutes, and then the barrow and bundle gone—part of it has been found since—I did not see the prisoner.

ELIZA MARIA COOKE. I take in washing. I sent James Crome with

basket, but he did not come, and when I told my husband he call policeman, and gave the basket to him.

Prisoner. She has two husbands living, and has committed n crimes. *Witness.* No, never.

SARAH WILLIS. I keep a clothes-shop. I had three pairs of s brought to me, and I bought them of a man, but I cannot say who— not know the prisoner.

JOHN CURTZ. I am a pawnbroker. I have a blind, a pocket, petticoats, and some other things—I took them in at Mr. Dempsey' the Borough, of the prisoner, on Saturday, the 11th of November.

ABRAHAM WRIGHT. I am a policeman. I was called by Reed or 13th to take the prisoner—she stated he had called there on the 11th, brought a basket—I have since found this property—I found on him handkerchief and 7*s.* 5¾*d.*

ELIZABETH MARIA COOKE *re-examined.* This is my property— was a great deal more, which is quite lost.

Prisoner's Defence. On Saturday, the 11th, I was in the London- looking into a picture-shop—I was out of employment—a man came t with a basket of linen, and asked me to carry it for him—I said I wou he said he would give me 1*s.* to carry it—when I got to Westmin bridge, the basket hurt me so much that I said I would leave the bask he said if I knew where I could leave it he was willing—I went to Reed and left the basket—I took the linen, and went with the ma Kensington, and then he took them, and gave me 1*s.*—the handker is my own—I have had it a long time.

SAMUEL SKINNER. I got this certificate of the prisoner's former viction from Mr. Gilby, the deputy-clerk of the peace for Westminst (*read*)—I was a witness—the prisoner is the same man—he was in custody—at that time I was a policeman.

GUILTY. Aged 23.—Transported for Life.

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125. GEORGE COE was indicted for stealing, on the 18th of vember, 1 dead fowl, value 1*s.* 3*d.* the goods of Edward Ingram.

GEORGE BAKER. I live in King David-lane, Shadwell. I know shop of Mr. Ingram, it is two doors from mine—about twelve o'clock, i evening of the 18th of November, I saw the prisoner take a fowl o the window and walk away—I stood a minute—he walked off, and I lowed him half or a quarter of a mile—he ran and dropped the fow took it up, and he ran into the hands of the policeman.

EDWARD INGRAM. I am the master of the shop. The fowl was bro to me—it was my property—it was in my window.

GUILTY. Aged 19.—Confined Six Months.

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126. CHARLOTTE CHAMBERLAIN was indicted for stealing the 17th of November, 4¾lbs. weight of candles, value 2*s.* 6*d.*; and 2 to value 2*s.*; the goods of Thomas Larkins Walker.

THOMAS LARKINS WALKER. I am an architect, and live at N Keppel-street, Russell-square. The prisoner was employed as char-wo by me—she came only two days, the 17th and 18th of November— my attention was drawn to it I missed two towels and some candles— were kept in a box in the kitchen—I think we missed about twelve po altogether—I keep two maid-servants and a boy—I believe these ca *to be mine*—I cannot identify the towels, but by producing some othe *the same texture*—I also missed a kitchen table-cloth and eight napk

Evans. I am single. I have known the prisoner about a couple
the—she gave me a lodging in her room—she herself was a lodger—
d me to mark two towels—there was a mark on them—I cannot
mind what it was—I think it was T. L. W.—it was rubbed out with
which the prisoner put on—it rubbed the mark out by rubbing it
the hand, and it made a hole—she said nothing—the piece was cut
! I made a pinafore and marked it—it was like this towel—I could
ar whether that is my work or not—I have no doubt but what it is

ner. It was a piece of huckaback—it was not a towel.
ist Honeywood. I am a cook to Mr. Walker. I did not give
oner any candles—I believe these to be my master's.
Warren. I am a pawnbroker. I have a towel and pinafore
by the prisoner on the 23rd of November.
as Pocock. I am a policeman. I took the prisoner into custody
old me the cook gave her the candles.
ner. I told him I bought them, which I did, at a tallow-chandler's
-street, and two moulds, which the policeman has in his hand—
a piece of huckaback I bought at a pawnbroker's, and made the
and a little table-cloth for Christmas-day—I got the candles that
be comfortable at Christmas.

GUILTY. Aged 25.—Confined Six Months.

VINCENT WESTWOOD and GEORGE BUMBIE were in-
for feloniously breaking and entering a certain building within the
e of the dwelling-house of John Ely, on the 28th of November, at
Barnet, and stealing therein 4 fowls, price 8s., his property.
n Ely. I live at the Griffin, at Whetstone, in the parish of Friern
it is nine and a half miles from the Bank. This occurred on the
f November, or early in the morning of the 29th—I keep fowls in a
st in a coal-house—it is attached to my kitchen within my yard—it
round by stables and one door, but has no communication with
ing internally—on the morning of the 29th my servant came and
d at my door, and said the fowls were stolen—I got up, went down,
and the hen-house door open—it had been fastened with two locks—
sed four fowls—I knew the prisoners—they lived close to my pre-
s and knew the premises well—I saw the fowls again on Monday
ng, the 29th—I can swear the fowls were mine.
ross-examined by Mr. Prendergast. *Q.* Did they know your pre-
s? *A.* Yes—Westwood knew them particularly—the other prisoner
ve nothing to prefer against.
ohn Jewett. I am in the prosecutor's service. I had the care of the
s—I locked them up at half-past seven o'clock on the night of the 28th
they were all in then—I went the next morning at half-past five o'clock
I opened the back door and saw the hen-house open—I went and fetched
ght, and there were four fowls gone and the two hens left—I know
m well—these are my master's property (*looking at them.*)
homas Blackbrow. I live in that neighbourhood. On the morning
the 29th I found some feathers near a field—I have shown them to
Ely—they came off his fowls.
homas Austin. I am a policeman. On Wednesday morning I
up here on a trial—*in coming through Holloway* I saw the

prisoners, and found the fowls on Westwood's shoulder, it was about half-past eight o'clock on the morning of the 29th.

Cross-examined. *Q.* He was carrying them? *A.* Yes, in a basket—I asked what he had got—he refused to let me see, but I would—this was just coming into Holloway, opposite the Crown, about six miles from the prosecutor's.

Westwood's Defence. On Wednesday morning I got up about six o'clock—in coming along I picked up this basket, and overtook Bumbie, who walked with me till I came to Holloway, where I was apprehended—he knew nothing about it.

WESTWOOD—GUILTY. Aged 22.—Transported for Ten Years.
BUMBIE—NOT GUILTY.

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128. GEORGE JONES and GEORGE JOHNSON were indicted for stealing, on the 20th of November, 1 handkerchief, value 1*s.*, the goods of William Green, from his person.

WILLIAM GREEN. I am a clerk, and live in Vine-street, York-road. On the 20th of November I was seeing the Queen go to the House of Lords, in Great George-street, Westminster—I knew my handkerchief was safe before—I took it from my hat and put it into my pocket not five minutes before I lost it—I heard some one call out that I had lost my handkerchief—I turned, the two prisoners were close to me, and the officer and got them—the policeman showed me the handkerchief—I did not see it in possession of either of the prisoners—this is my handkerchief

WILLIAM HOLLAND. I am a policeman. I was on duty on the 20th of November—I saw the two prisoners and one other with them, about two o'clock—they had nothing in their hands then—I saw Jones go up to the coat-tail of the prosecutor, and come away with the handkerchief in his right hand—I collared him, and called out, "Where is the handkerchief?"—the prosecutor turned round, and a policeman came up in uniform—I was in plain clothes, and we took them to the station—when I said, "Where is the handkerchief?" a voice exclaimed, "Here it is," and picked it up at the back of Johnson—I searched Jones—he had 2*s.* on him.

JONES—GUILTY. Aged 15.
JOHNSON—GUILTY. Aged 15. } Transported for Ten Years.

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129. WILLIAM JOHNSON was indicted for stealing on the 21st November, 1 shawl, value 2*s.*, the goods of Thomas Smith.

JOHN FRANCIS MATTHEWS. I live with Mr. Thomas Smith a pawnbroker, at No. 98, Edgeware-road, Paddington. On the 21st of November, I observed the prisoner in company with another, lurking about the shop, about eleven o'clock in the forenoon—some one came and told me my shawl was gone—I ran out, and saw the prisoner about 100 yards from the shop—he stopped the moment he saw me turn the corner—I asked him what he took the handkerchief for—he said it was a drunken *spree*—I brought him back to the shop—he said the same there—he said he was drunk—I knew nothing of him—I never saw him before—he could walk, and was sober enough to all appearance.

Cross-examined by MR. JONES. *Q.* What is the value of that shawl? *A.* 2*s.*—it is a new one made of worsted—it is an unredeemed pledge—when I came up to him he appeared to have been running—the moment I *came to the corner* his head was turned round, and he stood still—he must *have run to have got* that distance—it was about 100 yards from

will swear it was more than twenty or thirty yards, and I think a forty, but I did not measure it he did not appear to have been —he did not speak so clearly as you do—he walked as steady as walk—I should call him a sober man—I gave him in custody —I had seen him about the shop, I should say five minutes before standing at the shop window—our shop is in the public road—I eed him and another man there—there were a great many other nging up—this thing was almost of the least value of all that was up.

. Q. Did he appear to be drunk when you saw him outside? se did not.

AM GLASSCOCK. I am a policeman. I was sent for, and took the —he said he did it out of a drunken *spree*—he said he was drunk, ould say he was sober.

examined. Q. Will you swear he was sober? *A.* I will—I did him so.

prisoner received a good character.)

GUILTY. Aged 25.—*Recommended to mercy by the Jury.*

Confined One Month.

ELIZA WOODMAN was indicted for stealing, on the 11th of No- 4 half-crowns, and 1 shilling, the monies of Thomas Anderson.

MAS ANDERSON. I am a coal-whipper, and live in John-street, and ried. On Saturday night, the 11th of November, I was in King ane, and met this young woman, between eleven and twelve o'clock, e made free with me—she asked me to go home with her, and k this money from my waistcoat pocket in the discourse—I went pposite the Crooked Billet, and passed up the back lane—it was way home—I was a little tipsy, and she flattered me, and enticed re—she laid hold of my arm—we stopped talking there a while, and k 11s. in money, and three duplicates—I had nothing to do with she talked about my going to a house, and I would not—I lost four rowns and one shilling—I did not get it back—the policeman found ckets and money on her.

Prisoner. You gave me the money. *Witness.* No, I did not—I had drinking, and was out rather too late—I had drunk a great deal—I ot account for what I had drunk—I had the money in my jacket et.

HN DOUGLAS. I am a policeman. I received the prisoner from the ecutor on the morning of the 12th, in Shadwell High-street—I d her what she had done with the duplicates and money—she the man was mistaken; she never saw him before—I saw she was ay, and I took her to the station, and found three duplicates, four rowns, five pence, and two halfpence—she said to the sergeant, that is not all his money."

Prisoner. I was going up the street, and met this man—he caught hold me, and dragged me away—I was going to get some beer—he took his money out, and gave me some halfpence, and I put it into my pocket there was some paper with it, and when I came out of the public-house ught me, and gave me in charge to the policeman.

GUILTY. Aged 18.—Transported for Seven Years.

EDWARD JONES, *alias Richard Coster, was indicted* for stealing, 24th of *November, 1 handkerchief, value 2s. 6d.*, the goods of John *from his person.*

JOHN WRIGHT. I am a merchant. About seven o'clock in the evening of the 24th of November, I was in Hatton-garden—I had a handkerchief—I felt a tug at my pocket, turned and missed my handkerchief—the prisoner was close to me—I took him by the collar, and held him—we went on a few paces—I told him he had my handkerchief—he said he had not—I proceeded a few paces, and a policeman came up and took him—a lad came up and said he saw the prisoner with a handkerchief in his hand, which he threw down; that a girl took it, and ran away with it.

Prisoner. You was pulling me towards another man—I said there was another man may have it as well as me. *Witness.* You said so, but you were nearest to me.

GEORGE ROBERT DENISON. I was in Hatton-garden, and saw the prisoner with the handkerchief in his hand—he flung it away across Hatton-garden—some female took it up, and ran across Holborn with it.

Prisoner. *Q.* Can you swear it was that gentleman's handkerchief? *A.* No.

Prisoner. I was returning home—I had been selling some laces—I was turning up Hatton-garden, and this gentleman laid hold of me by the collar, and accused me of having his handkerchief—I declare on my oath I never saw it.

GUILTY.* Aged 22.—Transported for Ten Years.

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132. ELIZABETH SAMPSON was indicted for stealing, on the 9th of November, 2 sheets, value 1*s.* 3*d.*, the goods of Matthias Powell, and that she had been before convicted of felony.

GEORGE VANHERSON. I lodge at No. 9, Rose-lane, Spitalfields, and have lodged with Mr. Matthias Powell three years. These sheets were his property—I rented a furnished room of him—about twenty minutes past two o'clock on the 9th of November these sheets were on the bed—I returned home about two o'clock, having been absent about six minutes—I had been speaking to a neighbour, and my door was latched—I returned and saw the prisoner coming through the kitchen with a bundle under her arm—she asked if I could tell her where Mr. Martin lived—I said, "No," but if she would go next door with me, I could tell her—she threw the bundle down—I saw it contained the sheets, which had been on my bed—I then took her into custody.

THOMAS BISLEY. I am a policeman. I took the prisoner, and have the property.

MARMADUKE LOVELL. I have the certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner the person that was then tried.

GUILTY. Aged 53.—Transported for Seven Years.

OLD COURT.—*Saturday, December 2nd, 1837.*

Second Jury, before Mr. Sergeant Arabin.

133. PATRICK KELLY was indicted for stealing, on the 16th of November, 7 spoons, value 2*l.*; 1 ladle, value 1*l.*; and 1 unmade [illegible] body, value 3*s.*; the goods of James Wilce.

FRANCES WILCE. I am the wife of James Wilce, a poulterer and [illegible] manager, and live in Glasshouse-street, St. James's. About twelve o'[illegible]

ght of the 16th of November, there was a fire next door—I had containing the articles stated, in a drawer in a desk in the first ng-room—shortly after the alarm of fire, I was taken to my fa- I do not know what happened after—several neighbours and friends ne house.

Matthews. I am in Mr. Wilce's employ. I recollect the night —the prisoner passed me at the door, and came into the house— im what he wanted, as he looked like a foreigner, (he had musa)—he said, "Oh, Phœnix Fire office"—I then let him in—I am he is the man—he went down three stairs, and then turned and stairs.

xamined by Mr. Phillips. *Q.* How many persons were there? r eight. I was very much confused—I am not mistaken in his o me—I saw his brother there also assisting, and a good many but the prisoner did not assist—he never gave the least assistance were but two gentlemen went up stairs—I did not see him in the did not go into the room when he was there.

as Marchant. I am a policeman. I was at the fire, and saw ner there coming out of Glasshouse-street, and running towards street—he ran by, and I saw the end of this ladle sticking out behind of his coat—he was holding it under his coat—I ran after him, ped him—I asked him where he was going to take the things— he was the master—I told him I could not let him pass, and he me with me—I took him out of the crowd with another constable, k the spoons out of his pocket—I found the ladle behind him— not in his pocket, but behind him, in his hand.

-examined. *Q.* Now, on your oath, did you say at the police- at he was running? *A.* I did—what I said was taken down in —this is my signature—(*looking at his deposition*)—I did tell the rate he was running.

Is there a word there about running—read it over? *A.* I cannot to that—he did not say he would not go with me, and he would take oons away in spite of me—he said he would not go away with me never said he would take the spoons in spite of my stopping him id not understand your question—he did not say he would take away—I can read—(*looking at the deposition*)—I cannot read this.

On your oath, is it not because you find the words in it that you will read it? *A.* No.

Is not this what you swore at the police-office, "He said he would and he should take the spoons away?" *A.* He did say he would the spoons away—he did not say he would take them to the master.

Mrs. Wilce *re-examined.* These are my husband's spoons—the pri- is a perfect stranger to me—we are insured in the Phœnix office.

(*Witnesses for the Defence.*)

William Kelly. I am a tailor, and am the prisoner's brother. I was him at this fire, on the 16th of November—before we went there, we been to the Three Doves, in Berwick-street, to a meeting for the of infirm members of our trade, and my brother were in the —we left there about ten minutes to twelve o'clock, and were going to our father's—as we got to the corner of Argyle-street, he said ike some a-la-mode beef—we went and had some—as we were our supper, a policeman came to the door, and said there was Glasshouse-street—my brother said we might be of some as-

went out with the note—I remained in the shop while he was gon observed that the prisoner was a good deal agitated—he said abo minute after Shears was gone out, "What a long time he is gon change"—in the meantime he bought a pair of stockings of me, for 1: and gave me half-a-crown—I gave him 1*s*. change.

Cross-examined. *Q*. Why not tell the Magistrate he was agita *A*. I did tell the Magistrate so—I was examined on oath by Mr. Be —I did not observe him writing—I observed Mr Mallet the clerk wri but whether he took down what I said, I do not know—it was not over to me—I was behind the counter of the shop—the prisoner was or six yards from the door.

WILLIAM SHEPHERD. I keep the Richmond Arms public-hous Richmond-street, Edgeware-road. On the 21st of October a person ca my house, and took three or four other men into the tap-room to pay t and wanted change—I believe the prisoner is the man—there is an alter in him, and I will not undertake to swear to him positively—my niece in the room at the time—she received the note from the hands of the and gave it to me—I asked him what address I should put on it, an told me "John Stevens," which I immediately wrote in his presence the date—I should know the note again—I gave the same person ch for two notes—he brought one first, and then came back with a secor five minutes—he had only gone into the tap-room—he said he had sufficient change, and would I give him change for another—I carrie change of the two notes to him together, and gave it to him in the room, before all the men—I wrote his name on both notes—he di give me any address—I wrote on both the notes, "John Stevens, gator," but no place of abode—I took the notes up stairs to my wife, wh ill, and she looked out the change—I afterwards paid them away t collector, and one was returned as bad—this is it—(*looking at it*)— one of those I received that day—I have heard nothing of the other.

Cross-examined. *Q*. You have not told us the hour at which this place? *A*. To the best of my recollection, it was about seven o'clo from six to seven o'clock in the evening—it was after six o'clock— not look at the clock particularly, but I consider it was that time, b dusk of the evening—the prisoner looks much thinner in the face thar man did then—that is the only difference in the face—he is as tall as man—I described the man as a tall, fresh-coloured, good-looking ma know Morris, an excavator—I gave him that description of the man— not recollect that I had ever seen the man before—I did not tell Magistrate he went into the tap-room—I said, "He gave the notes to niece, and my niece gave them to me"—I did not say he gave the not me—Morris was at my house that night between six and seven o'clo believe, at the same time the man was there in the tap-room—there w good many persons there.

MR. ADOLPHUS. *Q*. Was your niece in the same room as you? Yes—she stood by me—he gave the note to her, and she handed it t —I asked his name—the place was lighted with gas.

SARAH SHEPHERD. I am niece to last witness. On the 2 October, my uncle and I were in the bar when the man asked for c for a £5 note—he gave the note to me, and I gave it to my uncl came back again, gave me another note, and asked for change for a —*I gave that to* my uncle—I think the prisoner is the man—I a

: me a £5 note in the tap-room—I cannot swear to him—he was
, and stout—I gave him change—I gave the note to Ann Codwell,
.t, to take up to her mistress, and she brought me down the change
ou had two sixpennyworths of brandy-and-water, and staid in
about ten minutes.

xamined by Mr. Jones. *Q.* Did he offer to change the note as
e came into the house? *A.* He called for the two sixpennyworths
-and-water, and then gave me the note—I was at the police office,
not examined.

Codwell. I am in the service of Mrs. Pope. On the 17th of
Edwards gave me a note, which I carried up to my mistress,
re me five sovereigns—I took them down, and gave them to
:.

: Pope. I keep the Red Lion public-house. On the 17th of
Codwell brought me a £5 note—I looked at it—I have not a
nt this is the same note—(*looking at one*)—I gave her change, and
note into the drawer—there were no other notes there—I afterwards
to Mr. Hands, Mr. Meux's collecting clerk—I wrote nothing

ts Wilson. I am in the employ of Mrs. Pope. On the 17th of
r I remember a note being given to Edwards to change—there
so men—I took notice of the man who gave the note—the prisoner
man, I am sure.

s-examined. *Q.* Did you give evidence at the police-office? *A.*
—I do not know who the Magistrate was—a gentleman examined
I was sworn, and what I said was taken down by the clerk sitting
at the time, just as I had sworn it—they read it over to me after-
—I have no recollection whether they asked if it was true—I did
rite my name to it.

Hands. I am collecting clerk to Messrs. Meux. I received
notes from Mrs. Pope on the 21st of October, I think, but I cannot

every respect, paper, plate, and signature—it purports to be signed by F. S. Twist, but the clerk's real name is Twiss—this one uttered to Shepherd is also a forgery—I should say the two are the same manufacture—this one uttered to Edwards is also a forgery in every respect, and appears of the same manufacture—the signature to Shepherd's is S. Gardin—Pope's is signed, J. Robinson—we have clerks named Twiss, and Gardin, and there was one of the name of Robinson, but he has been dead some time—the note has no date to it but 183.

NOT GUILTY.

Before Lord Chief Justice Denman.

135. DANIEL BARRETT was indicted for unlawfully, maliciously, and feloniously assaulting Charles M'Carthy, on the 2nd of November, and cutting and wounding him on his head and forehead, with intent to maim and disable him.—2nd COUNT, stating his intent to be to do him some grievous bodily harm.

CATHERINE PUNSHON. I keep a public-house in Wapping-wall—Charles M'Carthy is in my employ as a coal-whipper. On the night of the 2nd of November, I saw the prisoner and another person at my house—I did not know the prisoner before, but I am sure he is the man I saw—they had some porter and gin—the prisoner attempted to go into the parlour—I prevented him—M'Carthy was in the tap-room at the time, and went out to shut the shutters—he had the shutter hook in his hand, which is used to pull the shutters up and down—the prisoner went out immediately after M'Carthy, and in about ten minutes I heard what I thought were blows, close by the house, near the window—I went to the door, and saw M'Carthy down, and the prisoner leaning over him—I saw the prisoner strike M'Carthy more than once—he got up, and I asked him to give me the stick, and not strike him again, but he followed him to the door and struck him several times—I cannot swear he struck him while on the ground, but I saw his hand move—he struck him with part of the window stick when he followed him—I cannot say what part—this is the stick—(*looking at it*)—I cannot say whether he used the hook part—I asked him to give me the stick—he said he would not—M'Carthy came towards me, and the prisoner followed him—after he arose I saw him strike him on the head, I should think four or five times, with the stick, but I do not know which end of it—it was broken in two in the prisoner's hand—it was not broken when M'Carthy took it out—a man named Haley was in the house, and went out when the prisoner did—he was present when I went out, and was stooping over M'Carthy at the same time, but I did not see him strike at all—M'Carthy came into the house—I then spoke to a gentleman, and closed the door and fastened it in—I opened it again, and the prisoner came up again—I said, "That is the man," and the gentleman took hold of him as he turned into the house—we fastened him in, and sent for the police—this stick was picked up in the street, and given to me by Mr. Goodman, immediately after the prisoner was taken away—it was stained with blood on the wooden end—I saw no blood on the hook end—I gave it to the policeman.

WILLIAM CLAPSON. I am a policeman. I was sent for about eleven o'clock, and found the prisoner at Mrs. Punshon's house down on the floor in front of the bar, and two or three persons holding him—I saw M'Carthy there—he was cut, and covered with blood on the head—there was a quantity of blood on the table and on the floor—his head was tied up—

n given by a hook—one of this kind would produce such wounds, ceive a stick alone would not—there was a bruise more inclined ght side.

LES M'CARTHY *being called, did not appear.*)

er's Defence. I was going to the door and he struck me—we h drunk.

ILTY of the assault only. Aged 27.—Confined One Year.

Before Mr. Justice Park.

JOHN GOULD and HARRIET GOULD were indicted for on the 13th of November, at St. George, Hanover-square, one 3 £50, and 3 £10 Bank-notes, the property of Joseph Jones, since l, in the dwelling-house of Terence Brien.

MR. DOANE *conducted the Prosecution.*

JONES. I live at Bayswater. My brother's name was Joseph, to reside in Carpenter-street, Grosvenor-square, three weeks pre- his death, which was on the 14th of November—I visited him veral times—he was ill before he went there—I found the pri- attending him there—they lived in the same house—one sat up ght and one another—on Friday, the 10th, I called on him, about 'clock in the afternoon, and found him in a very dangerous state—I l him to receive the sacrament—he called me to him, and told me op down close to him—he said, there was 50*l.* he had put into er, pointing to a trunk in the room, and that was for his funeral and expenses—he had told me about three days before of his having re- l 250*l.* 5*s.* and he said I should find it all in his trunk, except 5*s.*—the e prisoner was present and heard that conversation—on Monday, the I called again, a little after three o'clock, and found him alone in the in bed—the clergyman had been with him—he was in a very bad, ing state—the female prisoner came in a little after four o'clock—I

the two £10 notes—he said he knew nothing at all about it, he d know there was any money belonging to him—he seemed very mu tated indeed.

Cross-examined by MR. PHILLIPS. *Q.* How long had these lived with your brother? *A.* He was only three weeks in the h they lived together there as man and wife—my brother and I had been at variance, but always on the best of terms.

DENNIS REGEN. I am a servant, and live in Market-street, Hay On the 13th of November, between nine and ten o'clock in the m the male prisoner came to me, and said he and his wife had been ing a person who had been ill for some time, and on that day he wa worse, and from the kindness he had received from him and his wi ing his illness, he had made over 100*l.* to each of them, and he w very much obliged to me if I would come up to his lodging and the notes, as the deceased was too ill to do it, and he could not do self—I promised to come, and he went away—about an hour afte went to his lodging, No. 7, Carpenter-street—I went to the kitch saw both the prisoners there—I afterwards went up stairs with t their request, and saw a man in bed—I cannot say whether he a in a bad state—John Gould placed a chair by a table, some d from the bed—Mrs. Gould brought some Bank-notes rolled up Gould asked me to indorse on the back of one of them, "John W 24, Welbeck-street, Cavendish-square"—I did so, and gave them Mr. Gould, and left the room—soon after that I got into a coach v two prisoners, and ultimately went to the Bank of England—t prisoner gave me a £100 note and two £50 notes, and at his reque companied Mrs. Gould into the Bank to get them cashed, leaving the coach—I got 200 sovereigns for them, and we all drove back the corner of Mount-street—the male prisoner then left me to g master's, and I accompanied the wife to Carpenter-street—she had key of the door of her room, and she ran to the prisoner's maste and the male prisoner came back with it—I counted over the 20 reigns to him, and saw him put them into a bag by him—this is to the best of my belief—(*looking at one*)—after coming from the B told me he had three £10 notes, but he could cash them at any tin

Cross-examined. *Q.* Had you known him long? *A.* About months—I knew them as man and wife—to the best of my b went to the bed-side before I signed the notes—I am almost did—I have not the least doubt of it—he leant over the gentlem I did not hear him speak—the gentleman appeared to be very ill.

MR. DOANE. *Q.* During any part of the time, did the decea any thing, or take any part in it? *A.* Not the least.

JOHN WICKETT. I am a hackney-coach master and driver. 13th of November I drove two men and a lady to the Bank— swear to the prisoners—I drove them back to the corner of Moun

PHILIP WORSLEY. I am clerk to Messrs. Whitbread and Co well-street, brewers. On the 31st of October I paid to Joseph cheque which I have in my hand, on Barnett, Hoare, and Co., for 2 —he received it himself at our house on that day.

RICHARD BESCOBY. I am clerk to Barnett and Co., bankers. 31st of October I received a cheque for 252*l.* 5*s.*, drawn by Whit this is it—I gave for it a £100 note, No. 4907, dated, 20th of

of November I apprehended the female prisoner—I met her
e got to her lodging—I told her I took her on suspicion of
me Bank notes from Mr. Jones's box—she said she had never
y money from Mr. Jones, nor did she know that ever he had
ft her in custody of Mr. Jones's brother, and went to Berkeley-
d apprehended the male prisoner—I told him what I took him
id he had never seen any notes, and did not know that Mr. Jones
otes—I did not tell him it would be better to tell the truth—I
n whether he had taken it, and he said he had not—I did not
n any promise or threaten him—I took them both to the office—
quence of information, I went to the house in Berkeley-square,
nd apprehended Gould, I believe it was the same day, and saw
ourable Mr. Villiers there—I went with him, and searched his
—I searched a box in Mr. Villiers's presence—I broke it open—
a large back room on the ground floor—it appeared to be a
oom—there was no bed in the room—I found this bag in the box
ntained 203 sovereigns, and thirteen half-sovereigns making
s.—I afterwards went to the office and saw the female prisoner—
her I had found the 209*l.* 10*s.*—she said, "The 9*l.* 10*s.* is my
at I saved by my industry."

s-examined. *Q.* Was any one present when the male prisoner
o you? *A.* No.

. Honourable Frederick Villiers. I live at No. 38, Berkeley-
. The male prisoner was in my service rather more than three years—
w the box which the witness opened—the prisoner had charge of the
f that box—in consequence of something I learnt from the prisoner,
nt to the police-office and made a statement—I was at the police-
when Sherwin broke open the box in my presence, and found the
containing the money he has stated—the money was not mine.

ross-examined. *Q.* Had you a character with him? *A.* Ten years

Before Lord Chief Justice Denman.

137. JAMES DUDFIELD was indicted for stealing, on the August, at St. John the Evangelist, Westminster, 1 pocket book, valu shawl, value 5*s.*; 2 handkerchiefs, value 7*s.*; 1 watch, value 2*l.* watch key, value 4*s.*; 1 work-box, value 2*s.*; 2 towels, value 2*s.*; value 6*d.*; 1 sovereign, 10 half-sovereigns, and 1 £10 note; th monies, and property, of John Mansfield, in his dwelling-house.

ISABELLA MANSFIELD. I am the wife of John Mansfield, and Rochester-row, in the parish of St. John, Westminster. I have bee about three months—I knew the prisoner before that—he came occa to our house to see my daughter, whom he courted—he slept there times, as my husband works out at night—on the 21st of August h me if I was not going to Camberwell fair—I said I did not know I was going or not—he was out with me—he said there was plenty if we did go, but we came home—I had been to the Bazaar with at last said I would not go to the fair—about tea time I asked for h he was not in the house—I had given him a sovereign that day care of in the Bazaar—my daughter went up stairs after tea and fou there—I went up between seven and eight o'clock and found he was I missed two towels, and on looking further I missed a watch off the piece—I could not find my keys, and got Mr. Smith to break open n and missed from it a silk shawl, and a silk handkerchief, and anotl containing many articles, a £10 note, and about ten sovereigns anc —I had seen the things safe that day, before I went out—the little b gone with its contents—I gave information directly—I did not see t soner again till he was at Queen-square, the day before yesterda small box and my pocket-book the officer has got—the note had the pocket-book—my silver watch is also here—I have looked at the know them to be what I lost at that time—the value of the goods is ab

Cross-examined by MR. DOANE. *Q.* Do you let lodgings? *A.* I only had an old lady and her husband—I knew the prisoner b went to live there—my daughter knew him before I did—it was thi about the beginning of the summer—I cannot tell the month— known him about three months—this happened on the 21st of Aug left my daughter at home when I went out—there was another loc the house at that time, a Mrs. Davis—I went out about one or two o and came back a little before six o'clock—my things were all safe went out—I did not see the prisoner again till he was in custody—h to come backwards and forwards to the house before, and slept there friendship—he proposed to be my lodger—my daughter introduced me.

ARTHUR BOWKER. I am a superintendent of the police at Bath. Monday I received information, and went to Bristol—I met the pr in the street there, and took him—I told him he was charged robbery at No. 2, Rochester-row, Westminster—he made no answ asked if he knew Mrs. Mansfield—he said, "Yes"—I searched and found this pocket-book in his pocket and a duplicate of a watch, pawned for 37*s.* in Skinner-street, and some keys—there young man with me—I asked him if he lodged at the same house did—he said, "Yes"—I and the young man went to that house and found a box which the young man pointed out—one of the keys fou the prisoner unlocked that box—in it I found this rosewood box *towel, which Mrs.* Mansfield has examined.

Cross-examined. *Q.* I understand his parents are respectable pe

ow them? *A.* I do—they keep the Bell Inn at Bath, and are
ctable people.

r HENRY WALL. I am a pawnbroker, and live in Skinner-
his is a duplicate of mine—I have the watch and guard which it
it was pawned on the 18th of September for 37*s.*—I do not re-
by.

ICA MANSFIELD. I am one of the prosecutrix's daughters. I
the prisoner being at our house on the 21st of August.

WOODBERY. I am an officer of Queen-square. The prosecu-
e is in the parish of St. John the Evangelist.

ANSFIELD *re-examined.* This rosewood box is mine, and this
not the guard—my name is on the towel—I can swear to one
ys, but not to the others—it is rather a curious one, and is one
ch I missed.

Probert, of Lewisham-street, Westminster, deposed to the pri-
d character.)

GUILTY. Aged 20.—Transported for Fifteen Years.

Before Mr. Justice Park.

AMES BOND was indicted for stealing, on the 2nd of Novem-
. weight of potatoes, value 4*s.* 6*d.*; and 1 sack, value 2*s.*; the
George Brown, his master; and WILLIAM ROBINS for fe-
receiving the same, well knowing them to have been stolen;
e Statute, &c.

r BROWN. I am a green-grocer, and live in Great Chapel-street,
ster. The prisoner Bond was in my employ for ten months as a
going from Westminster to Hounslow and Isleworth—he went
nost every day, to take manure, and bring back potatoes—in con-
of information I received at Covent-garden-market, on Saturday,
of November, I went to Knightsbridge, and stopped at Mr. Bart-
rop—I saw a board there with potatoes on it for sale—in conse-
of what passed I had Bond taken up, and told him I was going to
m in charge—he said, "What for, master?"—I said, "On sus-
of robbing me, selling my potatoes on the road"—he said he had
d any—he told me he had left a bushel and a half, on the 2nd, at the
Sun, at Knightsbridge—I went there with Woodbery, and found a
sack of mine with my name in full, but the potatoes were sold—we
Robins there, and took him—we made him no threat or promise—he
denied buying any potatoes, and after that he said he had bought a
for 3*s.*, and sold it to Bartlam next morning—I went into the
en of the Rising Sun with Robins and the officer, and found a sack
basket, on a shelf, which I knew to be mine—Robins said that was
ack he bought the potatoes in on the 2nd—we brought it away, and
the potatoes off Bartlam's show-board.

ross-*examined by* MR. PAYNE. *Q.* Had you said any thing to Bond
e he told you about the Rising Sun? *A.* I told him I had an officer,
was going to give him in charge—Robins took down the basket from
shelf himself—Robins said he had sold them to a man next door for
—that was true—my name was on the wagon which carries my dung
, but the name of Holland was on the cart, as my own was under re-
—I am quite sure the potatoes are mine—I do not believe you could
a sample like them in London—they are a *peculiar sort*—I have been
trade fourteen years—*Robins told me he had sent that* sack down by

the man; but when I told him the man had not called since Thursda said he would go and look for it.

WILLIAM BARTLAM. I am a green-grocer. The Rising Sun is withi doors of my house—Robins lodged there—I have known him two or years—he came to my shop, and offered me some potatoes for sale—I I did not want any at present, and asked him the price—he said 4*s.* sack—I bought one sack for 4*s.*, and I paid him for them the next day then said he should have another sack left that night—he did not say w from—I did not buy them—he took back the sack which my potatoes in—I did not notice any name on it—I had seen a sack of potatoes off Mr. Holland's cart on the Thursday night between seven and o'clock, and next morning I bought this sack—I cannot say it wa same—Bond took the sack on his back off the cart, and Robins foll him with it into the Rising Sun—I afterwards delivered to Wood some of the potatoes I bought of Robins.

Cross-examined. *Q.* Are you quite sure it was not soon afte o'clock? *A.* It might be—I did not particularly notice the time.

JOHN LANGWORTHY. I am a green-grocer, and live at the Rising Su know the prosecutor, and know his van and cart perfectly well—I saw stop at the Rising Sun on this Thursday evening about seven o'cloc knew Bond to be Brown's servant—I did not see Bond take any into the Rising Sun—I did not see the sacks go in that night at a only saw the cart stop there that night—I met Mr. Brown in the m on the Saturday, and told him what I had seen.

WILLIAM WOODBERY. I am an officer. I received Bond in charg told him it was on suspicion of stealing his master's potatoes—he d it—I told him I had information against him, and he said, well, he sold a bushel and a half for 1*s.* on the Thursday night—in consequen what he said I went to the Rising Sun, and took Robins—I told h was come to apprehend him for buying potatoes of Mr. Brown's m he denied it, but afterwards said he had bought a sack of him on the T day night, that they were pig potatoes, and he gave 3*s.* for them, and sold them for 4*s.*—I asked what he had done with the sack—he tol he had given it back to the carter—I told him that could not be, for derstood he had not been that way since he bought the potatoes—he said he would go and try if he could not find it—I went with him int kitchen, and it was found in a basket on the shelf with other sacks, no longing to Mr. Brown—that sack has Mr. Brown's name on it, an said that was the sack he bought them in — I then went to Bartl who gave me some potatoes.

Cross-examined. *Q.* Did he take down the basket himself wit sacks in it? *A.* Yes.

MR. BROWN *re-examined.* I have examined the sack—my name it—the potatoes are mine—they are Devonshire potatoes—if you cut you will find a little rim inside.

(Bond received a good character.)

BOND—GUILTY. Aged 31.
ROBINS—GUILTY. Aged 62. } Transported for Seven Year

Before Lord Chief Justice Denman.

139. JOSEPH WAKEMAN was indicted for embezzlement.

MR. BODKIN *conducted the Prosecution.*

HENRY JOHN POPKIN. I am chief cashier to the Imperial Gas lig

nsoner's hand-writing—in January, 1837, there is no return of
., nor in May, of 16*s.* from Mr. Cochrane—these three sums
been accounted for to the Company, to my knowledge—the
nd filling up of these three receipts are the prisoner's hand-
oking at them.)

mined by Mr. Doane. *Q.* These are all three proper printed
A. They are—I am the only cashier in the establishment—the
ually paid in 3*l.*, 4*l.*, or 5*l.*, in a week—they are sums paid by
for certain sized burners—he had been a year and a half in the
service—he had to go out after the gas was lighted to see that
burnt no more than their proper quantity, and to see that they
burning after a certain hour, according to the time the parties
urn—he had nothing to do with collecting for consumption of gas,
service pipe only—I am not aware that he has gone into the
the London Gas Company since he has left us—I have heard it
re we had the exclusive supply of the south-western district of
while he was with us—since he has left we have had competition
strict by the London Gas Company—I cannot say whether we
inished our charges in consequence—I cannot say whether smaller
s are made for the same supply in that district—I do not know—I
say it is not so—the prisoner left about the 24th of May.

etween that and the day he was taken into custody, the 25th of
er, did you call upon him to explain the non-entry of these three
? *A.* Certainly not—I have not seen him—I believe there was a
turned by him soon after he left, with sums of money on it, in re-
certain tradesmen—the prisoner had provided a bond to make
ay deficiency in his accounts.

Bodkin. *Q.* Those sums are for new services? *A.* Yes, or addi-
urners—we charged the parties for consumption of gas, from the date
of laying on the service—if he gave no return we should have no
of charging customers—we should not know that they had gas.

times early in the morning—it would be his duty to be out as much as possible—I do not know that he went into the service of the London Gas Company after he left us—we still charge the same rates for consumption of gas in the south-western district of Pancras—he left us on the 27th of May—we afterwards discovered that some sums received by him had been entered, but not accounted for, and he was called on to settle the account—he did so—this paper is his writing, and has his signature—it was handed to me about three weeks or a month after he left—I said, "I hope there is nothing further than this; I hope this will settle all"—he said, "I do not recollect any thing further"—it does not contain either of the amounts in question—part of this account is for gas, and the remainder for burners—he received the money where we made the parties pay prompt—the prisoner had workmen under him to lay on the service pipes, but the fittings-up are done by the tradesmen.

Cross-examined. Q. Do you know how long he has been in the service? *A.* If I recollect right, he entered the service in July, 1835—it might be 1834—I know that the London Gas Company have laid pipes in Pancras district—before that we had the district exclusively to ourselves.

COURT. Q. Have you any of the contracts which he filled up? *A.* Here is one — these three cases were discovered I believe by the new inspector, when he went round—I think Prior and Wilson's cases were found out in September—the other is a more recent date—the receipt books are numbered—we have the counterparts.

JOSEPH PRIOR. I live in Charlotte-street, Bloomsbury. I paid 12*s.* to the prisoner on the 28th of November, 1836, for one additional burner—I had three before—this is the receipt he gave—inquiry was made about August or September, when the collector called for the money—the four burners amounted to the same as the three, as there was a variation in the size, and I understood from the prisoner that I should have to pay no more for the consumption.

Cross-examined. Q. Do you continue now to pay the same? *A.* Yes.

ANN WILSON. I live in Cleveland-street, St. Pancras—(*looking at receipt*)—I paid this money to the prisoner in January, 1837—it is dated January, 1836—I did not notice the mistake in the date—it was for putting on gas—it was the first time I had any gas—I did not sign a contract till September—I was not called on for any rent for gas before September—was not found out till then—16*s.* is the amount of the receipt—I only saw the prisoner after that—the gas was burning in my place—Mr. Bowman put it on at Christmas, and the prisoner called for the money January—I think he had called once before, and put on the burners.

Cross-examined. Q. When the gas was laid on, was it done by regular workmen? *A.* I suppose so—I did not go out to look at them.

MR. BODKIN. Q. Were the people who laid it on employed by you, the Company? *A.* A gas-fitter lived next door to me, and I believe it his workmen did it.

JAMES COCHRANE. I am a baker, and live in Francis-street, Tottenham court-road. I paid the money on this receipt to the prisoner on the day named, the 17th of May, 1837—it was for two new burners—I employed a person to fit it—I do not remember seeing the prisoner there while was being done—I am sure I paid him the money.

Cross-examined. Q. Had you employed the same man before? *A.*—*the person* who laid on the gas was Kennedy.

MR. FIELD. I am clerk to the Imperial Gas Company. In July,

the prisoner was called before a committee of the Board of Directors, and reprimanded for giving receipts on plain pieces of paper in lieu of printed receipts, and he was told if he did it again he would be dismissed the Company's service.

NOT GUILTY.

First Jury, before Mr. Common Sergeant.

140. JOSEPH WAKEMAN was *again* indicted for a like offence. Upon which no evidence was offered. NOT GUILTY.

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141. THOMAS ARTHUR LOCKYER was indicted for a fraud; to which he pleaded

GUILTY. Aged 27.—Confined Six Months; Six Weeks Solitary.

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142. ELLEN HURLEY was indicted for stealing, on the 5th of November, 9 penny-pieces, and 10 halfpence, the monies of Job Matthews, her master.

Job Matthews. I keep the Bull's Head public-house in York-street, Westminster. The prisoner was in my service—I put 2*s.* 9*d.* in marked copper into my till on the 5th of November, after twelve o'clock at night—the till was not locked—I went to it the next morning, after eight o'clock, and missed part of it—I went to the prisoner and examined her—she produced from her pocket some money, and all the copper I had marked, except one halfpenny, was found on her.

Cross-examined by Mr. Doane. *Q.* How long had she lived with you? *A.* Ten months—I knew her some time before—I marked twelve penny-pieces, and my brother marked 1*s.* 9*d.*—I did not see him do it—the penny-pieces which I had marked were found on her—some of those found on her were marked by me, and some by my brother—my mark was a small cross—it was not the prisoner's duty to serve, she waited on customers, carried the liquor to them, and received the money—I marked the money during Church time on Sunday morning, but put it into the till after the house was shut up at night—my brother gave me what money he marked—he made the same mark as me, but I can swear to my mark, mine was the strongest incision—those found in her pocket and what was left in the till corresponded with the whole amount marked.

William Graham. I am an officer. I was present when the prisoner was searched, and the money found on her.

The prisoner received a good character.)

GUILTY. Aged 20.—*Recommended to mercy.*—Confined One Month.

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143. MARY PENNY was indicted for stealing, on the 14th of November, 6 handkerchiefs, value 18*s.*, the goods of Robert Miers.

Robert Miers. I am a linendraper, and live in High-street, Marylebone. On the 14th of November the prisoner came into the shop with some artificial flowers which she makes—I was engaged with a customer, and observed her go to the opposite counter, draw some silk handkerchiefs on the ground, and gather them up under her clothes—when my customer went out, I sent for a policeman, and before he came she threw them from her, before I said a word to her, and afterwards ran away—I do not

know whether she heard me send for the policeman—I had opened her box to look at her flowers to detain her, and she ran away leaving her flowers—she was secured and brought back—she said nothing to me—these are my handkerchiefs.

Prisoner. *Q.* If you saw me take them, why not stop me at the moment? *A.* I was not quite certain, till I saw them thrown away—I wished the policeman to search her.

WILLIAM TOOL. I am a policeman. I was called into the shop—the prisoner was charged with stealing the handkerchiefs—she said she knew nothing about them—that the prosecutor was a false man.

NOT GUILTY.

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144. SIDNEY SMITH and JOHN GAGAN were indicted for stealing, on the 13th of October, 10 live tame pigeons, price 10*s.*, the property of Frederick Howes.

FREDERICK HOWES. I live in Little White Lion-street. I keep pigeons at the top of my house, fastened in by a trap-door—I fastened that trap-door on the night of the 12th of October, and on the 13th, between twelve and one o'clock in the morning, I missed ten—I went to Thomas Perks, a bird-fancier in Adam-and-Eve-court, and saw six of them—I traced footsteps along the gutter of the house to No. 5, and there found a bell which had been on the pigeon-house door, and there was some fresh pigeon-dirt on the floor—Gagan lived in that house with his mother and father.

THOMAS PERKS. I live with my father in Adam-and-Eve-court, Oxford-street. I was very ill in bed when the pigeons were brought to my shop for sale by the two prisoners—I bought them—I am sure they are the persons—I did not see them that time, but I saw them the second time—my little girl brought me these six pigeons.

MARIA PERKS. I am the daughter of the last witness. The prisoners brought the six pigeons which the prosecutor claims to our house on the morning of the 13th of October—I am certain they are the boys.

Smith. I never had a pigeon in my hand in my life.

Gagan. I was never in Adam-and-Eve-court in my life.

SMITH—GUILTY. Aged 14. } Confined Two Months, and
GAGAN—GUILTY. Aged 15. } Twice Whipped.

(There was another indictment against the prisoners.)

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145. THOMAS SMITH was indicted for stealing, on the 28th November, 1 sovereign, 8 half-crowns, 12 shillings, and 4 sixpences, the monies of Thomas Thompson, from his person.

THOMAS THOMPSON. On the 28th of November I was drinking at the Spotted Dog, in High-street, Poplar—I had a sovereign in my pocket, and eight half-crowns, twelve shillings, and four sixpences—I was nearly drunk, but I am certain I had the money when I went in—the prisoner put his hand into my pocket—I *shoved* him away, and said, "Tom, I wo'n't have that"—the landlady hearing me speak to him, came and said to him, "If you have been getting drunk at another house, you must go there again"—he said, "We will all be peaceable and quiet"—I went to sleep, and when I awoke he was gone, and all my money too—I saw him *next morning, down* at Blackwall, and stopped him—he said he had *taken my money,* and in coming along he said to my friend, "Wait a

> see a particular friend"—he ran into a stable, and I was going him—he came out at the gate, and said he had been to see a o had a pair of shoes of his for three months—he said he had ing of money.

LEE. I am the wife of James Lee, who keeps the Spotted aw the prisoner and prosecutor in the house—the prosecutor was the prisoner was leading him along—I heard a scuffling in the —I went and told them that where they had got tipsy they must t sober—I heard the prosecutor say, "I won't have it, Tom"—the prisoner came to the bar for a glass of rum-and-water, and alf a crown—I gave him change, and took the glass of rum-and-o the tap-room—he drank it and left—there was nobody else ake the money, and nobody else came in till the prosecutor missed y, I am certain.

r's Defence. He hired me to carry his hammock to the steam-I went with him—he was quite drunk, and I said to his friend, "I take this man's money and go and lay it out for the things he go to sea with"—he said, "No, he is a stranger to me"—I said, d better take the money before he loses it"—he dropped it on the is friend's house—we left there and went to the Queen's Head a glass of gin and brandy—he came into the Spotted Dog—I said, must be off"—he said, "You shall not go"—I said I must, and went and told the female he lived with where he was—I left him the fire. NOT GUILTY.

GEORGE JONES was indicted for stealing, on the 15th of No-, 1 telescope, value 10*s.*, the goods of James Peachey.

ES ELIZABETH BURTON. On the 15th of November, about half-ten o'clock, I was near Mr. Peachey's, the pawnbroker's, in Old-and saw the prisoner take a telescope from the shop, put it into his and run away with it.

ERT CLARIDGE. I live in Prospect-place, Whitecross-street. I prisoner about half-past twelve o'clock on the 15th of November ther boy—the other one showed me a telescope, but did not say

ER PEACHEY. I live in Goswell-street. On the 15th of November d a telescope, in consequence of Burton's information—it has never found.

Prisoner's Defence. I do not know any thing about it—I never showed one.

GUILTY.* Aged 12. Transported for Seven Years.

MARY ANN MORRIS was indicted for stealing, on the 24th of Novem-1 purse, value 2*d.*; 1 toasting fork, value 1*s.*; 3 sovereigns, 1 half-, 13 shillings, and 1 sixpence; the goods and monies of Edmund n.

ARY GERMAN. My husband lives in Broken Wharf, Upper Thames-About half-past nine o'clock, on the 24th of November, I went into house at the corner of Church-lane, Whitechapel—I took out my to pay for some beer—it contained three sovereigns and 13*s.*—I had toasting fork with me, and laid it on the counter—the prisoner was e me—she kept pleading poverty, and said *she was* an unfortunate I said, "Well, you *are welcome to half my porter,*" and gave it her *there about an hour—I lost my purse and* money in there,

and the toasting fork—nobody was near me but the pris house.

Prisoner. She was in there singing with a Dutch woman me to drink, and after that I came home and saw no n

Witness. No such thing—this is my purse—the prisoner was next day.

MARY WAKELING. I am the wife of a policeman. I searc soner in Denmark-street station-house on the 25th of Novem the purse under her left arm—she insulted me very much, and the constable—she said, would I take part of the money and about it—I refused, and she gave me two violent blows on was obliged to call for the police to assist me.

GEORGE ENGLISH. I am a policeman. I took the prison tody, and had her searched by Mrs. Wakeling, who gave me t contained a sovereign and 9*s.* 6*d.*—there were two more girls with her—I found the toasting fork at her lodging.

MARY GERMAN. This is my toasting fork.

GUILTY. Aged 23.—Confined One Year.

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148. WILLIAM NOWLAN was indicted for stealing, on November, 12¾lbs. weight of lead, value 3*s.*, the goods of Jol and fixed to a certain building; against the Statute, &c.

JOHN FOOTMAN. I live in Ratcliffe-highway. I had some roof of my kitchen—I received information, about five o'clock noon of the 19th of November, and went to the privy—I fo soner there with another person, and the door fastened—I pu and saw the prisoner drop a piece of lead against the seat—he h off, and the other man had his trowsers off—there was about 1 besides the 20lbs. found—I brought him out into the tap-roo him in charge—I have compared the lead with the roof of the it corresponds with it—I had seen it safe about a quarter of fore—previous to the robbery the prisoner had gone over the r as the water came in, and I employed him two days—he prom next day to repair it—he appeared the worse for liquor—he the time it was the other man took it off.

CATHERINE HICKEY. I saw the prisoner on the roof tak off, and he jumped down.

Prisoner. I was tipsy, and knew nothing about it.

GUILTY. Aged 21.—*Recommended to mercy.*—Confined Th

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149. JOHN KELLY was indicted for stealing, on the 13tl ber, 1 pewter pot, value 1*s.*, the goods of Robert Malcolm; and been before convicted of felony.

JOHN COUCHER. I am a coachman. On the 30th of Noven Mr. Malcolm's house, in Warren-street, Charing-cross—the p in, and sat by my side—I went out, looked through a hole, an I saw him take a pint pot and put it into his hat—he came lowed him, and called a policeman, who took it out of his h —he appeared sober.

HENRY HILLS. I am a policeman. I searched him, and f —*he was* not drunk.

ROBERT MALCOLM. This is my pot.

COLLER. I am a policeman. I got this certificate of the pri-
r conviction from Mr. Gilbert, the Clerk of the Peace for West-
ons (*read*)—I know the prisoner to be the man—I have had
rself for stealing pots.

JILTY. Aged 23.—Transported for Seven Years.

RY ANN JOBBIN was indicted for stealing, on the 18th of
shift, value 2*s.*; 1 petticoat, value 2*s.*; 1 apron, value 2*s.*;
lef, value 6*d.*; 1 sovereign, 1 half-crown, and 6 shillings; the
nnies of Mary Marshall.

ARSHALL. The prisoner lodged at my house—on the 18th of
missed the things stated out of my box—I accused the prisoner
nem, and she said she took them, but meant to pay me again
e could—these are the things—(*looking at them.*)

COOMBE. I am in the employ of Mr. Pige, a pawnbroker, in
et, Bethnal-green. I produce a handkerchief and apron, which
ed by the prisoner on the 30th of October.

ED CAMPBELL RUSSELL. I am in the employ of a pawnbroker
ch. On the 11th of November this petticoat was pawned at our
e prisoner.

GREEN. I am a policeman. I produce the duplicates which I

's Defence. I had agreed to pay so much a week, and she
ake it, and did take 1*s.* of the money.

GUILTY. Aged 26.—Confined Two Months.

OBERT HARVEY was indicted for stealing, on the 10th of
, 5 printed books, value 13*s.* 6*d.*; and 180lbs. weight of printed
lue 2*l.* 10*s.*; the goods of George Charles Smith.

E CHARLES SMITH. I am secretary to the British and Foreign
Society, and have the custody of the Society's books. I lost
ooking at them)—they belong to the Society—they were not sold.

AM CHARLES ELLIS. I am secretary to the Seaman's Friend So-
The prisoner was occasionally employed there, and had access to
s—we missed books and papers at times—I went to the prisoner's
nd found a quantity of Magazines and books, which are here—he
ad brought them from the office—he had no authority to do so—
are not permitted to take books away.

er. I took them to read. *Witness.* Here are twelve books, and
of paper—several of them are copies of the same publication.

GEORGE MASS. I am shopman to Mr. Langdon, a cheesemonger,
-street, he selected a quantity of waste paper, which he said were
elonging to the Society—I bought part of the prisoner, and part of

prisoner pleaded poverty.)

TY. Aged 66. *Recommended to mercy.*—Confined Three Months.

NEW COURT.—*Saturday, December 2nd*, 1837.

Fifth Jury, before Mr. Recorder.

DAVID JONES was indicted for stealing, on the 19th of Novem-
ndkerchief, value 3*s.*, the goods of James Steedman, from his per-
which he pleaded

GUILTY. Aged 17.—Confined Six Months.

153. HENRY BOWEN was indicted for stealing, on the 24th of No-
mber, 5 pence, the monies of William Merry and another, his masters.

WILLIAM MERRY. I live in Whitechapel, and am a wholesale cheese-
nger—I have a partner. The prisoner was in my employ on the 24th
November, and had been so about two years—for some time past we had
ssed coppers to rather a large extent, and could not find out who ab-
acted them—on the 23rd of November we had 5*l.* worth of copper counted
, and ninety penny-pieces were marked with my initials, which were dis-
buted in 5*s.* papers—they were put into flats, tied down—I locked
e counting-house myself, and took the key—on the morning of the 24th
e prisoner came rather earlier than usual for the keys of the warehouse,
d asked the girl for the key of the counting-house—when I came down
warehouseman spoke to me—I missed the coppers, and called the pri-
ner—I said we had missed some money—he said he knew nothing of it
he said he had some coppers—I said, "Let me see"—he pulled out five
nny pieces, two of which had been marked, one by my warehouseman,
d the other by the clerk—the money was marked between half-past seven
d nine o'clock—they were taken from a number of 5*s.* papers, and
rked, and replaced—the next morning we found the papers had been
ened, and two or three pence taken from different ones—the prisoner
d he had taken them the day before in exchange for some tobacco—there
re no more coppers found on the prisoner—I had not marked any money
previous days.

CHARLES JAMES SANDERS. I am clerk to Messrs. Merry and Rutter
the 23rd of November I marked sixty penny-pieces, and they were placed
the papers in the flat—one found on the prisoner is one I marked—this
t.

RICHARD BAKER. On the evening of the 23rd of November I was de-
ed to mark some pieces of copper—I marked about forty, and the
xed them in the papers, to the amount of about four in every paper—
s one was found on the prisoner on the morning of the 24th—I marke
—I found several packets had been opened, and money missing to th
ount of about 1*s.* 9*d.*—the prisoner had an opportunity of going on
n the time he came in the morning—I am not aware whether he did
not.

EDWARD PILBRON (*police-constable H* 154.) I took the prisoner.

Prisoner's Defence. I know nothing whatever of the charge ma
inst me—on this morning I was ordered to get to my employer's wa
use by half-past six o'clock—it wanted twenty minutes to seven o'clo
the church when I passed—I was let in by the cook—I received the key
the warehouse—I again went to ask for the key of the counting-hou
I wanted a candle, and was walking up, when Reaves, one of my fello
vants came in, and I began taking out some rubbish—I pulled off
t and waistcoat, and hung them in a small warehouse, where any o
ld have access to them—the five penny-pieces I had in change for
lling, for some tobacco, and I know nothing about the marked money
robbery was not discovered till three hours after I had been there.

RICHARD BAKER *re-examined.* I do not know whether the priso
ng up his coat and waistcoat—the money was not in circulation—
soner could not have received it over night.

WILLIAM MERRY *re-examined.* The prisoner had behaved well—anot
had been in the counting-house, who was in the habit of cleaning
as searched, but nothing found on him, and Reaves was also searc

to ascertain whether there was any necessity for the prisoner goir g
lle, and I found there were two which had been left over night.

GUILTY.—Confined Three Months.

OHN FISHER was indicted for embezzlement.

I MARCHANT. I am a baker, and live in Fair-street, Manchester-
The prisoner was in my employ about eight months—I employed
ke out bread, and receive the money, and account to me—I had a
of the name of Nesbit, in Wigmore-street I have sent weekly
ion since July last—I have not received any money from the pri-
him since then I have applied to the prisoner to know if he
ved money—I delivered him a bill of 10*l.* 6*s.* 9*d.*—that was all
owing from Nesbit from July I inquired of Mr. Nesbit if the bills
paid—I asked the prisoner if he had received the money—he said
om day to day—there was no proposition made at that time—he
e the Magistrate speak of instalments—he admitted he had received
y.

er. I asked you if I should pay you back by instalments, and
me no. *Witness.* I have no recollection of the fact.

. Q. Do not you find in your deposition, that he stated his
to pay by instalments? *A.* I have no recollection of stating that
ed it, and have no doubt it is correct, but I have no recollection

ner. It was the instigation of my brother coming out of the
—I was almost compelled to keep him fourteen weeks—he wanted
and shoe-leather, and so on; and I told my master if he liked
n, I would pay him back by instalments.

SUSAN APPLETON. I am servant to Mr. James Nesbit, of Wigmore-
The prisoner was in the habit of bringing bread there for six
—I paid him daily when he delivered it—sometimes 2*s.*—I paid
8*d.* on the 20th, and on the 21st 1*s.* 9½*d.*—I received no bills from
soner we owe for no bread.

s KEAYS (*police-constable D* 113.) I took the prisoner into cus-
found on him 1*l.* 8*s.* 3¾*d.*, and three bills.

MR MARCHANT *re-examined.* This is the bill given to him on
before that Monday, for 10*l.* 6*s.* 9*d.*—I have not received a
g of that money.

ner. It was not done with a felonious intent to defraud my master.

GUILTY. Aged 21.—Confined Twelve Months.

H. ANN PARKER was indicted for stealing, on the 21st of Sep-
, 1 gown, value 8*s.*, the goods of Ann Howard.

ANN HOWARD. I am single. I live in Salisbury-place, and am servant
—I have known the prisoner about nine years—I met her some
ago, at the corner of Stingo-lane—I had with me a gown and a
—the prisoner asked me where I was going—I told her to the
maker's, Mrs. Evans, Upper Lisson-street I went there, and was
for my dress the prisoner was present—I left the dress that was
as a pattern, and came away with the prisoner—on the following
I got the new dress, but not the other—I afterwards met the
in Seymour-place, and *asked if she was not ashamed* to see me
she said, "*No*"—*I asked what she had done with* my dress—

she said she knew nothing about it—I followed her, and gave he custody.

SARAH EVANS. I am the wife of Richard Evans, of No. 20, l Lisson-street, and am a dress-maker. I remember the prosecutrix a prisoner coming to my house—the prosecutrix left a dress and the ma to make another—I told her she had no need to leave it, I could m by my own pattern—she said it might be handy to take the length- that the prisoner called again, and said her cousin had altered her and she wished to have that dress washed and sent into the country, gave it her.

DANIEL NORGAN (*police-constable L* 33.) I took charge of the priso she at first said she knew nothing at all about it, but on the way t police-office she acknowledged the pawning it at Mr. Greygoose's.

Prisoner. It is false—I did not tell you so. *Witness.* Yes, you di Mrs. Evans heard it—I found the gown at Mr. Greygoose's.

JOHN GREYGOOSE. I am a pawnbroker, and live at No. 51, Cra street. I produce this gown, pledged on the 22nd of September, i name of Sarah Grant—I fancy the prisoner is the party, but so long has elapsed, I cannot be positive—she then appeared respectable i dress, and had some colour in her face.

ANN HOWARD *re-examined.* This is my gown. The prisoner my cousin—I did not send her to fetch this gown.

SARAH EVANS *re-examined.* This is the same gown that wa and which the prisoner fetched away.

Prisoner. I know nothing of the gown, any more than taking it dress-maker's.

GUILTY. Aged 20.—*Recommended to mercy by the Prosecutri*
Confined Six Weeks.

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156. HENRY BAKER was indicted for stealing, on the 11th o vember, 1 shirt, value 2*s.* 6*d.*, the goods of Patrick Macfarlane: 1 value 2*s.* 6*d.*; and 1 pair of stockings, value 6*d.*; the goods of Martinez.

JOHN READY. I live with Patrick Macfarlane—it is a cook' and lodging-house, in Ratcliffe-highway. The prisoner came there 11th of November, and asked for a bed—I showed him one—he went the following morning—whilst he was paying the mistress of the ho the lodgings I examined the bed he had occupied, and missed a sheet f —I pursued the prisoner up Denmark-street, and down Cannon- and called, "Stop thief?"—a gentleman here stopped him, and he this sheet out of his bosom—it is the property of Patrick Macfarlan night's lodging was 6*d.*

JOHN MADDY. I am a ginger beer maker, in Cannon-stree George's in the East. I heard the cry of "Stop thief"—I stoppe prisoner, and took this sheet from his trowsers—he made no resistan took him to the station-house.

WILLIAM PERRY (*police-constable H* 71.) I produce the sheet I got from John Maddy—I searched the prisoner, and found a shirt hat, and a stocking in each of his jacket pockets.

JUAN MARTINEZ. I lodge at Mr. Macfarlane's—these things are m I lodged there the same night the prisoner did—I did not give them *prisoner, or allow* him to take them.

ıAM NORMOYLE (*police-sergeant H* 15.) I took the prisoner—he ress was the cause of it.

· MACFARLANE. I am the wife of Patrick Macfarlane—this is my

prisoner received a good character.)

GUILTY. Aged 19.—*Recommended to mercy by the Jury.*
Confined Three Months.

JAMES SHEPHERD was indicted for embezzlement.

ES HUGHES. I am a butcher, and live at No. 13, Chapel-street, r. The prisoner was in my service eight or nine months, up to of November—he was entrusted to receive money—I expected ay it the same day that he received it—I had a customer of the f Captain Brandreth—he owed me 1*l.* 14*s.* 2*d.* for meat—the did not account to me for that.

r RYAN. I am cook to Captain Brandreth, he lives in Grosvenor- I paid the prisoner 1*l.* 14*s.* 2*d.* for meat, on Tuesday, the 7th—he the book—I have not got it here—I am sure I paid him 1*l.* 15*s.*, brought me back 10*d.*

IAS JOSEPH WEST (*police-sergeant C* 15.) I took the prisoner at Newport-market—he owned to receiving the money, and said he y foolish he had not paid it in.

ner. I said I was sorry I had not delivered up the remainder of ey.

HUGHES. The prisoner left me on the Monday following—I said, not return Captain Brandreth's bill, I have not got the book"—he Have not you?"—I said, "No," and then in the evening he ab- !—I sent the two bills in, and one was paid.

ner. I received the money, and lost the sovereign—I kept the all the week to try to make up the sovereign—I told my master should be very happy to pay it—my mistress said she would not receiving it by instalments—I told West I was very sorry I had not d the remainder of the money—if I get a situation again, I will re- e money.

GUILTY. Aged 23.—*Recommended to mercy by the Jury.*
Confined Three Months.

THOMAS COOK was indicted for stealing, on the 20th of nber, 1 handkerchief, value 3*s.*, the goods of Joseph Nash, from his .

SEPH NASH. I live in Claremont-square. On the afternoon of the of November I was in St. James's Park—my attention was called by stable behind me saying that I had lost my handkerchief—the constable it—I believe this is it—I have no mark on it—I know it by the

ARLES BURGESS GOFF (*police-constable L* 31.) I was in the Park, the prisoner force his way between two gentlemen, and go to the tor, take this handkerchief from him, and put it down on his side—my brother officer seized him, and told the gentleman his had been picked.

BROOK (*police-constable L* 118.) I was with Goff, and took the with the handkerchief *in his hand—he said he had picked* it up.

ner. *I was in the Park seeing the Queen go to the House*—some

boys took it—I was going to give it to the gentleman, when the officer took me with it in my hand.

C. B. GOFF *re-examined.* I am quite sure he took it—I watched him some time.

GUILTY. Aged 17.—Confined Six Months.

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159. WILLIAM WORT was indicted for stealing, on the 25th of November, 1 bed, value 1*l.* 8*s.*; 1 sheet, value 1*s.*; 1 quilt, value 1*s.*; and 2 pillow-cases, value 6*d.*; the goods of Thomas Fax.

MARIA FAX. I am the wife of Thomas Fax, a porter, and live in Myddleton-buildings, Stoney-place, Marylebone. The prisoner and his wife occupied a room in our house for three weeks and two days, and paid 4*s.* 6*d.* a week—after they left I opened the door of their room and missed the bed, quilt, and two pillow-cases, which I had let to them with the room.

THOMAS FAX. I am the last witness's husband. I went to Deptford and found the prisoner in a house there with a quantity of people—I went into a room, which was pointed out as his sleeping apartment, and his wife was there—I found these articles in the room—the quilt I can swear to, but not the other articles.

MARIA FAX. I know the bed and quilt—the sheet has not been found—some feathers were taken out of the bed to make pillows with.

CHARLES NICHOLLS (*police-constable R* 121.) I went with the prosecutor to a house in Grove-street, Deptford, where the emigrants for South Australia are lodged till the ship sails—I found the prisoner and his wife there, and the articles now produced were found in an apartment which was taken by the prisoner, as I understood—I found his wife there—asked him if he knew any thing of the circumstance—he said he knew nothing of it—the quilt was lying on the bed, and the bed on a mattress on a bedstead, in the room occupied by the prisoner and his wife.

GUILTY. Aged 27.—Confined Six Months.

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160. THOMAS GRANGER was indicted for stealing, on the 11th November, 1 cask, value 14*s.*, the goods of William Garrett.

WILLIAM BUTLER. I am apprentice to William Garrett, a victualler, King-street, Tower-hill. On Saturday, the 11th of November, in consequence of information, about ten o'clock in the evening, I went outside of premises and missed a rum puncheon from the door—I saw it about eight or ninety yards from the door—I watched and saw the prisoner come to it and wheel it away between twenty and thirty yards, when the policeman collared him.

Prisoner. *Q.* Did you see me take it away from the door? *A.* No—the constable gave me information that it had been moved, and thought it was placed in a convenient spot to be taken further off, and I watched.

WILLIAM CARR (*police-constable H* 17.) I was watching on Tower-hill on the night of the 11th—I saw the prisoner come to the cask, look at it and walk five or six yards from it—he went away to the corner and came a second time, and the third time he came and rolled it away—I followed him and took him by the corner at the public-house—he told me a man had given him 6*d.* to wheel it up the street—I searched him, but found no money on him.

CORNELIUS FOY. I am a policeman. Mr. Garrett's house is in my beat—*I missed* the cask from the door, and found it some distance from it—*gave information* to Butler—I had seen the prisoner rolling it away.

ioner. I was rolling it towards Mr. Garrett's house. *Witness.* No, s rolling it away from it.

illiam Butler *re-examined.* The cask contained four gallons of r—I have heard that the prisoner was a labourer about us, but I do now him.

ioner's *Defence.* I have used Mr. Garrett's house for the last eight —I do not live twenty doors from him—I happened to go there this , and when I came out a young man tapped me on the shoulder, and "If you will go and fetch that rum puncheon for me I will give you I have left it in charge of a policeman" -I could not see any police- and went back and told him so, but I saw the puncheon -he said, ter mind, that is it, fetch it"—I went and did so, and directly I did policeman caught hold of me.

illiam Carr *re-examined.* I saw no man tap him on the shoulder— me to it three times—he gave me a false address.

GUILTY. Aged 26.—Confined Three Months.

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51. CHRISTOPHER MAILE and PETER FLETCHER were in- d for stealing, on the 17th of September 1 waistcoat, value 5*s*., the s of Richard Wilcox Fairlain; and that Maile had been before con- d of felony.

enry Cowns. I am shopman to Richard Wilcox Fairlain, of Lisson- e. On the 17th of November I hung a waistcoat on the shop-rails, t nine o'clock—I afterwards saw it at the station-house in the police- 's possession.

William Shepherd. I am an apprentice to Mr. Henley, of No. 99, onshire-street, Lisson-grove, a fender-maker. On Friday, the 17th of vember, I was minding my master's shop, and saw the two prisoners ing about the corner of the street—I saw Fletcher take the waistcoat— other was at the corner house, ten yards off, looking at him, and nodded when the shopman went in—the waistcoat was on the rail in front of the shop—Fletcher took it under his smock-frock till he got a yards, and then he ran.

Charles Elliott. I live at No. 33, Carlton-place, Bayswater, and am horse-keeper. I was in Devonshire-street on Friday, the 17th, and was accused of stealing the waistcoat, having a smock-frock on— t was brought to be pawned at Mr. Bretton's by a young man who by the name of William Smith—he took it from the shopman, who used to take it in, and he met the two prisoners, and said, "Take it, I will have no more to do with it"—I had the policeman with me, and gave them in charge.

John Wilson (*police-constable D* 72.) I found the two prisoners ding at the corner of Homer-street—I took them to the station-house a great deal of difficulty—Fletcher made great resistance -I took both, and when I got them into the dock at the station-house, I saw drop this waistcoat—I took it up -he said, "I know nothing at about it."

(*Property produced and sworn to.*)

Maile's Defence. I was coming down Lisson-grove on the 17th of ember, and saw this boy at the corner of Devonshire-street—I went brother's—in coming back I met him again—*he* asked if I was home— I said, "Yes"—*he said, "Wait a minute, I* am going your

way;" and then the policeman came and took us both—I did not know of his having a waistcoat till we got to the station-house.

Fletcher. This is my first offence; I hope you will have mercy on me.

RICHARD HANCOCK (*police-sergeant T* 10.) I produce a certificate of Maile's conviction, which I got from the Clerk of the Peace, at Clerkenwell—I was present when the prisoner Maile was tried—(*read*)—he is the person.

MAILE—GUILTY. Aged 14.
FLETCHER—GUILTY. Aged 14. } Confined Six Months.

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162. WILLIAM FROST was indicted for stealing, on the 24th of November, 1 coat, value 2*l.*, the goods of James Aplin.

JAMES APLIN. I live in Eastfield-street, Limehouse, and am a waterman in the Customs. This coat was in my use when I watched at night—it is worth 2*l.*—I left it in my watch-box, and missed it about half-past six o'clock in the morning—I saw the prisoner about that night—it might have been taken about half-past two o'clock.

Prisoner. Where did we first meet together? *Witness.* By Ratcliffe-highway, at the top of Gravel-lane—we did not have any thing to drink together—he wanted to go into the Dock, and asked for New Gravel-lane—I told him I was going there, and showed him—he was hanging about there some time—I did not take him down to the box with me—it is customary, when one Custom-house officer relieves another, to enter "first watch, second watch, and third watch"—I entered "second watch."

JOHN AARON. I live in Whitechapel-road, and am a pawnbroker. This coat was pawned with me by the prisoner, I believe—I have every reason to believe it was him from a recollection of his person—it was pawned for 10*s.*, about nine o'clock in the morning, on the 24th of November.

SAMUEL TAYLOR (*police-constable N* 169.) I was on duty at Battle-bridge on the 26th of November—the prisoner came to me, and said he wished to give himself up for stealing a coat, in Gravel-lane, from a Custom-house officer; and when he got to the station-house he told me he pawned it, opposite Whitechapel church—that is where Mr. Aaron lives—he said he wished to give himself up, he did not wish to get into further trouble, and that he came out on Sunday evening with the purpose of committing another robbery.

Prisoner. Did I make any observation on the nature of the offence? *Witness.* You said you wished to give yourself up—it poured with rain at the time.

COURT. *Q.* Was he right in his senses? *A.* He appeared so, and quite sober—I found nothing on him but a song-book and a pipe.

(*Property produced and sworn to.*)

Prisoner's Defence. I had been escorting a man to his home who was in liquor, and they treated me and gave me money—I then met the prosecutor, he staggered against me—I said, "My friend, the pavement does not seem to be wide enough for you"—he said he had been with some friends—I said, "Make your way home as quick as you can"—he said, "I am a public officer, I have got 2*d.*, I am going to get a drop of beer"—I said I should go and have a drop—I went in, we drank a pot of beer and half a pint of gin—I related my case to him that I had no where to go—that I had been nineteen years abroad, and when I returned I had not relative alive—he took me down to his box, and said he would give me warm place for the night—we went down, he relieved the officer, and the

cke, it was day light—I went and got a pint of beer and some gin—
nt on and met a man, who said, "That is a good warm coat you have
on?"—I said, "Yes," and told him how I got it—he said, "If I was
I would go and pawn it"—which to my shame and sorrow I did—
this is the first time I was brought before a bar for any thing; and
is a man who comes to swear away the liberty of an honester man
himself—now what do you think of this—I submit my case to you,
bow with submission, humility, and respect, to your verdict.

James Aplin *re-examined.* *Q.* Were you at all the worse for liquor? Not at all—I did not allow the prisoner to sit in my box, nor to wear coat—I did not button it on him—I did not borrow a handkerchief him, nor receive any money—I did not drink with him at all—he nted to go into the Dock, and I told him it was after hours—there is no th in what he says—I saw him, that was all—he did not go with my mission into the watch-box—I did not go into any public-house.

Prisoner. I will mention the house, it is in Brook-street, and he ered into conversation with the landlady about a friend of his who was vant there. *Witness.* No, my Lord, I did not—I know where I saw is man, it was at the top of Gravel-lane—I did not go into any house fore nor after I saw him.

Prisoner. *Q.* How much money had you? *A.* None at all—I had d my supper at home, and then came on duty—I got no refreshment er that—I was only absent from the watch for a short time—at half-st two o'clock—I did not miss the coat till half-past six o'clock, because did not go into the box—the door was open.

Court. *Q.* How came you not to wear the coat? *A.* I had the one which I have on now—I did not feel cold—I distinctly swear that I d not permit the prisoner to have the use of the coat.

Prisoner. It don't stand to reason that he should leave it in the box and walking about without it—he has perjured himself, and at the great

164. MARGARET MOORE was indicted for stealing, on the 9th of November, 1 gown, value 8*s.*; 1 cap, value 6*d.*; 1 apron, value 6*d.*; and 1 petticoat, value 1*s.*; the goods of Maria Denning: 1 hearth-rug, value 2*s.*; and 1 shawl, value 1*s.*; the goods of Thomas Freeman.

MARIA DENNING. I live at Mr. Freeman's house, near Gravel-lane—the prisoner lived in the same house—I was ill one evening, and the prisoner came to light a fire in my room—upon my getting out of bed I missed a flannel petticoat, an apron, cap, and gown of my own, and shawl and hearth-rug, belonging to Mrs. Freeman—her husband's name is Thomas—I have seen the gown in possession of Mr. Spooner, andt he petticoat in possession of Mr. Jones.

RICHARD HENRY SOMERSET. I am shopman to Mr. Telfer, a pawnbroker, in Ratcliffe-highway. I have a gown and hearth-rug—I took them in of the prisoner at the bar—these are the things.

THOMAS JONES. I am shopman to Mr. Upsall, a pawnbroker, in Ratcliffe-highway—I have a flannel petticoat pledged by the prisoner on the 13th of November.

SARAH FREEMAN. My husband's name is Thomas Freeman. I let lodgings—it is a very quiet house—we let lodgings by the night—I saw the prisoner go out with the hearth-rug, about three o'clock in the afternoon of the 9th of November—I thought she was going with the intention of shaking it—I had lent a shawl to Denning the night before—the prisoner was brought to the lodgings a fortnight previous—I let the bed to her and a young man—she slept there four nights with him, and for eight nights I gave her a lodging.

JAMES ROOKE (*police-constable K* 245.) I took the prisoner, and took a shawl and cap from her person—on her way to the station she gave me the duplicate of a petticoat pledged for 6*d.*, at Mr. Upsall's, Ratcliffe-highway—this is the shawl and cap.

MARIA DENNING. This gown, petticoat, and cap, are mine—this sheet and rug are Mrs. Freeman's—I did not let the prisoner have them for her use.

Prisoner. She told me I might have them, as my own things were not ready. *Witness.* No, I did not—I had no others to wear—she left the house, and took them away with her.

GUILTY. Aged 17.—Confined Six Months.

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165. JAMES PAYNE and WILLIAM WEAVER were indicted for stealing, on the 18th of November, 1 work-box, value 1*l.* 5*s.*, the goods of Charles Minton.

MICHAEL CANTY. I am an apprentice to Mr. Charles Minton, of No. Gloucester-place, Hoxton, a tailor. On the forenoon of the 18th of November I was in the passage, and saw the prisoner Weaver run out with a work-box between his hands—he came from the parlour, and went out at the front door—when he was a few yards off Payne joined him—Payne was stopped, and Weaver dropped the box, and made his escape—this is the box—I had seen the prisoners a few minutes before, lurking about the door.

FRANCIS MOLLAND. I live at No. 7, New Weston-street, Borough, I am a town traveller. I was in Myrtle-street on the 18th of November—I heard the cry of "Stop thief"—I turned, and stopped Payne—Weaver *dropped the box,* and made his escape.

ier.

EAVER*—GUILTY. Aged 18.—Transported for Seven Years.
PAYNE—NOT GUILTY.

. THOMAS JOHNSON was indicted for stealing, on the 18th of nber, 1 dressing-gown, value 25*s*., the goods of Susan Batterson, nother; and that he had been before convicted of felony.

OMAS NORRIS. I am shopman to Susan and Charlotte Batterson, of it-street, hosiers and glovers. On the night of the 18th of November ed a gown from a block outside the shop door—it belonged to the s I have mentioned—I went to New Burlington-street, and found isoner in custody there, and the officer had got the dressing-gown—I en it safe at the door about ten minutes before.

RK TEASDALE (*police-constable C* 168.) I was in Regent-street on ght of Saturday, the 18th, I saw the prisoner take the dressing-gown he block, and run down New Burlington-street—he threw it over the ils—I took it, and pursued him, till I took him—I never lost sight l.

isoner. *Q*. Did you notice whether I did not stoop?—the gown was down. *A*. No, it was not—I saw the block, and him, and all—it astened to the block with pins.

isoner. I picked it up at half-past eleven o'clock on Saturday night.

ARLES HAWKER. I am a policeman. I produce the certificate of risoner's former conviction—(*read*)—I took the prisoner—he is the on who was tried then.

GUILTY. Aged 21.—*Recommended to mercy by the Prosecutrix.*
Transported for Seven Years.

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167. JOHN WINFIELD and PETER GILL were indicted for steal-

the shop is closed—then he was no longer my servant—he had meat in possession when brought to me.

EDWARD SHAW. I am a police-sergeant. I was on duty in Hi street, Bow, on Saturday night, the 18th of November—I was oppos the prosecutor's shop at half-past twelve o'clock, and saw the two prison at the prosecutor's shop—I saw Mr. Tebbenham leave the premise Winfield shut up the shop, and he told the shopboy he had no business the his master wanted him—he went away, and when he was coming back, light was put out, and I saw Gill leaving the premises—I took h with 2lbs. of beef-steak, and a mutton chop, and some liver, to the pro cutor—he said, in Winfield's presence, that he (Winfield) gave it him.

Winfield. I did not give it him.

GILL—GUILTY. Aged 68.—*Recommended to mercy by the Jury a the Prosecutor.*—Confined Six Days.

WINFIELD—NOT GUILTY.

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168. JOHN WINFIELD was *again* indicted for stealing, on the 18th November, 3lbs. weight of pork, value 2*s.*, the goods of William Tebb ham, his master.

JOHN PARKER. I am a policeman. On Saturday night, the 18th November, I was on duty in High-street, Bow, and saw Mrs. Tebbenh standing by her door-way—I bid her good night, and she went away—I t heard the prisoner say to the boy, "You are not wanted; you had be go away"—they were shutting the shop up—I stood on the opposite side the way, and saw the prisoner go to his lodgings, and then I went with sergeant to the prosecutor—I went with Mrs. Tebbenham to the prison lodgings, and said to him I supposed he knew what we came about—said no—I said, "We come for the piece of meat that you brought a from the shop to-night"—he firmly denied it—I said it was no use—then took this pork out, and said, "I have only got one piece; this is w I brought to-night," and then I went to the cupboard, and saw some m pork—he then took up a knife, and said, "I don't know what busin you have in my place; we will have a *row*"—I advised him to put it do —I took out my staff, and then he put it down.

Cross-examined by MR. BODKIN. *Q.* Did you say that before the M gistrate? *A.* I say it now—I said, "We have come for some meat have taken away to-night"—he said he knew nothing about it, and t he said he had only got one piece, and produced it.

Prisoner. I was eating my supper. *Witness.* No, it was on the ta but he was not eating.

WILLIAM TEBBENHAM. The prisoner was brought to me, and beg for mercy—I saw the pork—it was a piece of pork that had been bruis

Cross-examined. *Q.* When you saw it produced you saw there wa bruise on it? *A.* I had seen it before, it was killed sixty miles off—th was only one pig came that day—I do not know how many pieces I cu into—I know this had not been sold—if it had it must have been to a ferent person to the prisoner—he has been in my service seven ye next February—he has left me at intervals—I have discharged him taken him again—he had 9*s.* a week and his board, and allowance-mo 1*s.* 6*d.*, and the privilege of killing pigs, as many butchers' men have which he gets 1*s.* 6*d.*—he was allowed to eat on my premises—he bought meat of me—he did not always pay for it when he took it—o

:arge of him, and I went down—he said he was sorry for it, and he :nt the money—he told my wife so,but not in my presence—she is e.

THEW WISE. I am a fishmonger, and live in St. Martin's-court, e-hill. I received the baskets brought by the prisoner, and paid s. in silver at the time—the money was given for Mr. Mullins.

ner. *Q.* Were you in the shop? *A.* Yes, and Mrs. Wise was in nting-house with a gentleman.

ner. You asked me if I had the bill—I said "Yes," and handed and in the mean time the gentleman retired, and his wife paid r half-crowns and one shilling in my hand. *Witness.* She handed it first, and I gave it to you.

ner. It is false—she laid it on the ledge, and I took it up.

LIAM M'LAUGHLIN. I am a policeman. The prisoner was given y custody—I took him to the station-house on the 12th.

ner. I spent it with the intention of giving him it again.

GUILTY.* Aged 21.—Confined Two Months.

. FREDERICK WILLIAMS was indicted for stealing, on the 21st rember, 1 handkerchief, value 4s., the goods of Thomas Shone, from rson.

OMAS SHONE. I live in King's Parade, Chelsea. On Tuesday, the f November, I was in Drury-lane—Horsford brought the prisoner to I felt my pocket and missed my handkerchief—I had very shortly e made use of it, so as to know it was in my pocket—it was worth 4s. was a white silk handkerchief with a red border.

LLIAM HORSFORD. I am a constable of the Mendicity Society. I ehended the prisoner in Drury-lane—he was in company with another ey passed by the prosecutor—I made a sudden stop—he passed on, when he came opposite Orange-court the prisoner, with his left hand,

171. JOSEPH WEST was indicted for stealing, on the 30th of October, 1 jacket, value 5*s*., the goods of Benjamin Williams.

JAMES WILLIAMS. I live in Cornwall-street, and am a sailor. On the 30th of October I went to work on board the *Lowther*, in the London Docks, in the room of Benjamin Williams, the cook—the prisoner came on board—I saw him with a jacket on—he had none when he came on board—I called to him, but he went on shore and got away—I afterwards found him at the Paviors' Arms, with the jacket still on—I said to him, "If you don't mind you will get yourself into trouble about that jacket"—I went after Benjamin Williams, but could not find him, and then I went home,—Benjamin Williams came to the public-house, found him, and sent for me.

Prisoner. I asked him if he was coming on shore, and he made no answer, and I never saw him again—he asked me to sell it and give him half the money, and because I would not do it he said he would make money of me. *Witness*. No, I said nothing of the kind—I knew he had no jacket on when he came on board, and hardly any shoes, and no stockings.

BENJAMIN WILLIAMS. I lost my jacket from on board the ship, and found it in the house where the prisoner was—he said he had no jacket and had not seen it—a man took up the jacket and held it up, and I said, "That is the jacket, I will swear to it"—he said he knew nothing about it—I said, "I will take you to where your master and mine will settle it," and I took him to the station-house—this is my jacket.

ENEAS M'ALLEN (*police-constable K* 98.) The prisoner was given to me on the 31st of last October—in taking the charge he was asked what he had to say—he said, "Nothing"—I took the jacket.

GUILTY. Aged 19.—Confined Three Months.

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172. JOHN WATTS, JOHN RICHARDSON, and WILLIAM BATCHELOR were indicted for stealing, on the 20th of November, 3 keys, value 1*s*.; 1 purse, value 2*d*.; 2 sovereigns, 1 half-sovereign, 4 half-crowns, and 3 shillings; the goods and monies of Richard Coope, from his person.

RICHARD COOPE. I live at Stockbridge-terrace, Pimlico, I am not in any business. In the afternoon of the 20th of November I was walking in the passage leading from New-street to St. James's Park—the passage was very much crowded indeed—when I got into New-street I missed my purse and keys—the purse contained two sovereigns and one half-sovereign, four half-crowns, and three shillings—it was a very singular purse—it was folded up—when I got to the top, after I had been dreadfully squeezed by the prisoners, a person came up and said, "Have you been robbed?"—I said, "Yes, of my purse and keys; I don't mind my purse, but I don't like to lose my keys"—I saw the policeman had got the prisoners, and took them to Bow-street—I said, "I can tell you what the coins were"—they counted the money, and found it was exactly the case—Watts said, "It is my money, it was taken out of my pocket"—I said I had the same—the money corresponded exactly with what I lost—the gold was gone, but the keys and silver were produced.

Cross-examined by MR. PHILLIPS. *Q*. In fact you did not like to prosecute? *A*. No, but they said I must—I am a collector of these kind of coins—I was squeezed by five or six of these people—I endeavoured to get away, but could not, when these *chaps* doubled in upon me—I was *going to Farrance's* to buy a cake—I cannot tell how many persons

:: —Richardson was close to his back, and Watts on the side of him, tchelor by the side of Richardson—as they were going up the steps w-street, I saw Watts drop the three keys, which I now produce, s left-hand—I picked them up—he was then close by the prosecu- le—when he lifted up his foot I took up the keys—the prisoners —I was behind them, and they pushed me—I secured Watts, and m to Jones; then took Batchelor, and gave Richardson to a police- Batchelor said he had done nothing.

s-examined by Mr. Phillips. *Q.* On your oath, did not he say nan that? *A.* He might, but I did not pay attention to it—he ne why I took him at all—when I took Watts they were all close to other's shoulders—I took Batchelor and Richardson about fifteen rom the steps of the Park—they were going from the spot where the ere dropped, into the Park—the Queen had then passed through the o the House, but had not returned again.

s-examined by Mr. Jones. *Q.* Were there not a good many other as near Mr. Coope as the prisoners? *A.* No—there were a good close to the prisoners—I was at the back of them—I was coming Bow-street, where I had been on a case of felony, and was going to ark—I took the keys from under Watts's feet—he was going up the —he had just got one foot on the upper step and one on the lower -the keys were under that, and as he moved his foot I took them hey dropped on the steps—I cannot tell whether it was the first or d step.

ames Jones. I live in Little George-street, Westminster. I was with ett, in St. James's Park—I was close at his back, when I saw the pri- s about half way in the passage—I saw Watts drop the keys from his on the steps—I saw my brother officer pick them up—I caught hold atts when he pointed him out—he said I was wrong, he had done ing—he said I was drunk—I secured him—one of the police told him o, and then he went quietly with me—I found on him three shillings.

to go up—Blossett picked up the keys—they were on the second or third step—after Watts was taken, I did not go to his lodgings—I do not know whether Blossett went—I took one handkerchief off his neck and returned it to him—I did not ask him about the three handkerchiefs I found on him—they were scarcely of any value—he told me he had some unfortunate complaint which rendered it necessary for him to carry them about him.

JAMES WHIPP (*police-constable D* 86.) I took Richardson at the desire of Blossett—he was down the passage—I laid hold of him—he said, "You have no occasion to lay hold of me, I have done nothing"—I took him to Bow-street—he was three or four yards from the steps, on the Park side.

Cross-examined by MR. PHILLIPS. *Q.* I do not know what you mean by down the passage? *A.* A few yards from the passage.

Cross-examined by MR. JONES. *Q.* Did you go to Watts's lodgings? *A.* I did not—I do not know who did.

GEORGE WESTON (*police-constable F* 15.) At the station-house, in Bow-street, I took four half-crowns, and three shillings from Watts—I gave them to Jones the constable—I found them in his left-hand breast pocket.

JAMES JONES *re-examined.* These are the same—I did not receive any description of the money from the prosecutor—it was given to the Magistrate—that description corresponded with what I found.

Cross-examined by MR. JONES. *Q.* Did you go to Watts's lodging? *A.* No, I did not.

RICHARD COOPE *re-examined.* This is a King William half-crown—this is the third coinage of King George the Fourth—this is the first coinage of George the Third—this is the second that was struck with the garter round it—and these three shillings—that was the money I described—Watts said, "Oh, I had the same in my pocket"—I will swear I had four of that sort—the two sovereigns, and half-sovereign, and purse, are gone.

Cross-examined by MR. JONES. *Q.* Were the half-crowns in the same part of the purse where the gold was? *A.* To be sure they were—I intended to pay them away—the keys were in the left-hand pocket, and the purse in the right-hand.

(John Sweetman, foreman to a veterinary-surgeon, of Pulteney-court, Silver-street, Golden-square; and Joseph Butcher, of Drummond-crescent, gave the prisoner Watts a good character.)

WATTS*—GUILTY. Aged 40.—*Recommended to mercy by the Jury.*—Transported for Ten Years.

RICHARDSON—NOT GUILTY.—BATCHELOR—NOT GUILTY.

Sixth Jury, before Mr. Sergeant Arabin.

173. JOHN THOMPSON was indicted for stealing, on the 21st November, 1 table, value 8*s.*, the goods of William Rainbird.

ANN RAINBIRD. I am the wife of William Rainbird, of Portman-street, Clare-market; my husband is a broker. On the 21st of November I saw the prisoner with a table on his shoulder—I said, "Stop him"—he walked fast, and was stopped in Stanhope-street—this is my table.

THOMAS CHAPMAN. I am a policeman. I heard the alarm, I took the prisoner with the table on his shoulder—I took him to the station-house—he had a penny and a knife on him.

er. I came from Scotland three weeks ago, and could not get a ok the table, and was detected.

UILTY. Aged 64.—*Recommended to mercy by the Jury.*—Confined Eight Days.

FREDERICK MEDCRAFT was indicted for stealing, on the November, 1 work-table, value 1*l.* 8*s.*; and 1 other table, value he goods of Joseph Boyce.

CIS GOSTELON. I know the shop of Joseph Boyce, I live very pposite to it, in the Kingsland-road—on this day week I was standing oor, and saw the prisoner come out with two tables, one under each had not the least idea they were stolen, but Mr. Boyce was two ll, and saw him and stopped him—I said, "He has surely not hem"—"Yes, (says he,) he has"—the policeman was just there him.

H BOYCE. I saw the prisoner crossing with the tables—I said, are you doing with them?"—he said, "Nothing"—he gave them said he took them—they are mine.

prisoner pleaded poverty.

GUILTY*—Aged 19.—Transported for Seven Years.

WILLIAM ANDREWS was indicted for embezzlement.

EL MORIARTY. I am a saddler and harness-maker, and live in t-street, Soho. The prisoner had been in my service from five to nths—he was employed to receive money—on the 20th of No- I sent him to one of my workmen, who was authorised to receive some houses, to bring the money to me, with a message to collect rents—he did not bring me the money he should have received, 6*d*—he did not return the same day, but the day following—I then nquiry and found he had received it—he ought to have accounted nately on his return.

S HUGHES. I had collected some money for Mr. Moriarty—on the f November the prisoner came and received from me 1*l.* 4*s.* 6*d.*, which him to give to Mr. Moriarty.

ner. The money was converted to my own use, but I did not do it a felonious intention—I had the money at home, but I had not ed home when I was taken—he met me in the street and gave me stody—my wife and brother brought the money down the following ing—had I been home, or to the shop, without accounting for the y, it would have been a different thing, but I could have replaced it had received greater sums of money than that for him—I never was ty of a dishonest action.

JAMES MORIARTY *re-examined.* He was paid by the piece on Satur- night—this was received on the 20th—I discovered it was lost on the nday following—I met him drunk, and the answer given to my in- by him was that others had robbed me, and he considered there no harm in doing it.

NOT GUILTY.

JAMES ALDRIDGE was indicted for stealing, on the 24th of ember 1 pair of trowsers, value 8*s.*, the goods of *John Kelday.*

MUNTO. I am in *the employ of John Kelday,* a pawnbroker,

in Durham-place, Hackney-road. On the 24th of November I saw th prisoner near the shop—he passed by with another one—after that I wa standing in the shop, serving some customers, and saw him pass the win dow, come in, and draw the trowsers out of the shop—he ran off—I pur sued, and took him with them—they are my master's trowsers.

GUILTY.* Aged 21.—Transported for Seven Years.

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177. GEORGE GOODWIN, *alias Bull*, was indicted for stealing, o the 26th of November 1 handkerchief, value 2s., the goods of James Hun ter, from his person.

JAMES HUNTER. About four o'clock in the afternoon of the 26th o November I was in the Commercial-road, and observed the prisoner an another walk as close after me as they could—I looked over my shoulde and saw the prisoner and another walking fast—I then walked slowly til we came to Albion-street, where they turned down—I felt, and my hand kerchief was gone—I called the police, and pursued them—they parte—the prisoner was taken—one of them threw something into a passag of a door, but my handkerchief has not been found.

WILLIAM CLAY (*police-constable* K 278.) I was called about fou o'clock—the prosecutor said, "I have lost my handkerchief, come wit me"—the prisoner and another saw me coming, and the other one got into a house about six doors down Albion-street—the prisoner attempted to g in, and checked in a dark handkerchief, and when I came opposite the doo it was shut—I pursued the prisoner, and he ran me down Albion street, till he came to a court in Duke-street—I then caught him, an brought him back—I found one handkerchief on his person, which I pro duce—I asked the gentleman if it was his—he said, "No"—this is a bad handkerchief—the house he threw the handkerchief into is a bad house—th girl he cohabits with lives there.

Prisoner. I was sent on an errand for my mother, and was standing this house—the policeman came and took me—I never had any handk chief but this, which is my mother's.

GUILTY.* Aged 18.—Transported for Ten Years.

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178. GEORGE FITLEN was indicted for stealing, on the 1st November, 1 gown, value 13s. 6d.; 1 pair of spectacles and 1 box, value 3s. 6d.; 1 carriage-cover, value 10s.; 1 belt, value 1s.; 4 pairs of [illegible] value 8s.; 1 [illegible], value 1s.; 1 pair of [illegible], value 1s.; 1 [illegible] and case, value 2s.; 1 [illegible], value 1s.; 12 pairs of trowsers, value 6s.; 3 waistcoats, value 2s.; 1 [illegible] and 2 cups, value the goods of Ogle Smith.

OGLE SMITH. I reside at [illegible] in Canterbury. The property [illegible] in the indictment is mine—I was in [illegible] in Essex—[illegible] person [illegible] a chest of drawers [illegible] Mrs. [illegible], who was [illegible] the Eagle and Lion in Whitechapel, [illegible] on the 8th—part of it is stained, and [illegible]

Prisoner. [illegible] the whole of the property [illegible] handkerchief and black waistcoat.

ELIZABETH WOODS. I received the property from the [illegible] was packed up and sent by the carrier to me at the Red Lion in Whitechapel—it was in three boxes—I gave it to the prosecutor Smith.

WILLIAM SMITH. I am the carrier. I received the property [illegible]

. Q. Did you not tell me to clean myself, and go out without
w horses? *A.* No.

DURRANT. I am a policeman. On the night of the 18th I
isoner walking along Whitechapel with a bundle under his arm
ed him to Petticoat-lane—I then stopped him, and asked what
ot—he said, shirts, which he was going to take to Rose-lane—
l with me to Wentworth-street—then he threw it down and said,
you b——, take that," and ran off—I sprang my rattle, and the
ook him—I took the bundle, and found these things in it.

LEEDS. I am a police-sergeant. I was with my brother officer
iddle of the night of the 18th—the prisoner threw the bundle
the corner of Bell-lane—he ran off, and I pursued and took him
. six waistcoats on, and five of them were belonging to the pro-

er. I was coming out of Essex-street, and met a man who asked
ry this, and I carried it—the policeman stopped me, and I threw
e bundle, and ran away—Mr. Batley says he locked his place at
'clock, and I was at a public-house at half-past eleven that night.

GUILTY.* Aged 23.—Transported for Seven Years.

EDWARD MARSH was indicted for stealing, on the 17th of
er, 1 handkerchief, value 3*s.*, the goods of a man unknown,
s person.

EL WRIGHT. I am a policeman. I was on duty in Covent-garden
17th of November, between eleven and twelve o'clock at night—I
d the prisoner try several gentlemen's pockets, by going behind
nd feeling them—he was alone—I saw him go behind one gentle-
t the end of Bow-street, and take from his pocket this silk hand-
ief—he folded it up, and tucked it under his waistcoat—I took him

COWAN, *Mayor.*

tchmaker, of Ironmonger-row, gave the prisoner

Aged 19.—Transported for Ten Years.

ARISH and LOUISA EDWARDS were indicted

h of November, 1 petticoat, value 1s. 6d.; 1 cover-

d 1 window-curtain, value 1s.; the goods of William

I am in the service of William Butland, a pawn-

, in the Whitechapel-road. On the 28th of November

—I had seen them before a number of times, and I know

ame at about half-past two o'clock to take out a piece of

I asked them to take down a sheet and patchwork, which

gave them to me—then she got on the steps and took

-curtain, a quilt, and flannel-petticoat, and chucked them

; she got down the steps, and pulled the prisoner Edward's

nted to her to take them up—Edwards took them up, and

der her cloak—I called my master—he went over the counter

her cloak—I saw the articles, and she dropped them—I went

eman.

When I went to take the things out, you said, "Mother Paris

ke down these things"—I said "I can't reach them"—I got on

d threw them down—you said, "You may give me the others do

them, and you took what you wanted, and I hung the rest up a

ou called your master, and said that Edwards had got

under her cloak, and these things were behind her.

rds. They fell off the counter—I never had any thing under my

BERT CAMPBEN. I am a policeman. I took the prisoner

their innocence. NOT GUI

AUSTIN was indicted for stealing, on the

d., the goods of William Patiso

Commoner of Mag

of Paternos

"Well, I have got the thief"—I found the cloak behind the coach in the mews.

Prisoner. Was not I hallooing out "Stop thief?" *Witness.* Not that I heard—I never lost sight of him—I am certain he is the man.

Prisoner's Defence. I was coming along by the shop—there was a great crowd of people—there was a *row*, and my brother stood calling the policeman—there was a cry of "Stop thief," and the policeman stopped me.

CHARLES CLARK. I am a policeman. I have a certificate of the prisoner's former conviction from Mr. Clark's office—(*read*)—I know him to be the man.

GUILTY. Aged 23.—Transported for Fourteen Years.

Before Mr. Justice Park.

184. JOHN RICHARDSON was indicted for stealing, on the 28th of November, 12lbs. weight of sugar, value 7*s.*, the goods of Charles Cousins; to which he pleaded

GUILTY.—Confined Three Days.

Before Lord Chief Justice Denman.

185. ST. AMAND BEREMBERT was indicted for unlawfully endeavouring to persuade and induce Robert Ashby (without authority) feloniously to engrave on a certain plate a promissory note, purporting to be a note of the Bank of Louisiana, of the United States of America.—Other COUNTS, varying the charge.

MESSRS. CLARKSON *and* BODKIN *conducted the Prosecution.*

ROBERT ASHBY. I am an engraver, and carry on business in King William-street, City. I am in the habit of engraving cheques and drafts, and instruments connected with banking business—the prisoner came to my house early in October—I do not recollect the particular day—he produced this note to me—(*looking at one*)—I am acquainted with the French language sufficiently to negotiate on a subject of this kind—the prisoner stated that he understood all I said to him—he spoke in French and I answered him in French—he said he wanted some notes done similar to that, and asked me what the price of a plate would be—I told him there was a great deal of very nice work, and it would be difficult to give any price, but I thought twelve or fifteen guineas—he then went away—he said he wanted them done like that—that was the expression he used—there was very little more said that day—he took the note away with him—he came again on the 24th, and produced the note again—he said he had come again and brought that note, and wished to have that and several others engraved, and said he would give me a list—it was to be for fives and tens—this is the paper he gave me—I wrote down, from his dictation, 5, 10, 50, 100, 500, and 1000 dollars, or piastres—the word he used was piastres—I presumed he had brought the note as a pattern, not to be followed immediately, but to show the kind of thing he wanted—I said, "I presume this is the form you wish attended to"—he said he wanted a fac simile of that—I then took his order—I said, I must have a reference—he said he knew no one in London, but he would give me a reference to his uncle, who was then residing at Margate, but who did live in New Orleans—I then told him I must have a respectable reference in London, but in the mean time I would go on with the plate, which was to be finished on the 7th of November—he has written "Mons. Jaco and Co, Margate, De la———,

Orleans" on this paper, besides the amount of the notes—I wrote on a slip of paper that a respectable reference was indispensable, and gave it to him—I told him as well as I could in French, and wrote it on paper also—he took the paper away with him—I did not see him on the 7th of November, but he came on Saturday, the 11th, and produced this letter, which he said he had brought from his uncle—(*read*)—"Sir, I have been very indisposed and am so still; but, happily, I do not think I shall have occasion for my nephew to-day; so I send him to you, in order to receive the copper-plate you have engraved for me, and the pattern-note he gave you for that purpose; he will hand you 8*l*., and I intend to send you, to-morrow or next day, the six other notes, after I shall have seen the workmanship you have performed, and the proof; you will send me these altogether; what you ask me for in your note, which you have given to my nephew, I shall be able, when I come to London, to give you a reference and security, Mr. Walker is my intimate friend, and he will inform you as to my probity, as well as the correctness of the affair. I beg you to remember, it was not my fault I did not call on you sooner; but the gout, which still hangs about me, made me afraid I was going to die; and on that account I kept my nephew with me. Mr. Walker will give you every information respecting me—12, Queen-street, at Mr. Roberts, Ramsgate, 10th November, 1837."

Q. Did he produce any money when he produced that letter? *A.* Yes, he produced eight sovereigns—I did not take them from him—I inquired of him where Mr. Walker lived—he said he did not know his address—that he was a friend of his uncle—he said he had come for the plate, bringing the letter, which he thought would be satisfactory, as he had brought the money—I told him the plate was not ready, and desired him to come again on the Monday following—in the mean time I had a communication with the house of Baring, Brothers; and when he came on Monday morning, the 13th, I desired him to come again in the afternoon, which he did, and said he had come for the plate again—I told him it was not finished—he was disappointed, but I told him he must come the next day—he did so—I told him the plate was still unfinished, the workman had not completed it, and I could not give it to him—he was still disappointed—I prevailed on him to come on the Wednesday—that was the 15th—he came that day, and I told him it was not finished—he then became very angry; I told him I had some difficulty about delivering the plate up, I did not quite like the appearance of the thing—I told him to write in French what he had to say, and he wrote it on this paper—(*looking at it, which, being translated, was*—"Give me the plate and the note, and on Monday I will bring you the address of Mr. Walker")—I said I could not give up the plate without a satisfactory address; and afterwards he wrote, "Give me the note only," and signed his name to it—I still put him off till next day, the 16th, and on his coming then, an officer was there, and took him into custody.

Cross-examined by Mr. Adolphus. *Q.* You keep, I presume, a public, open shop? *A.* I do not keep it—I have a public, open establishment—the prisoner had no introduction to me whatever—I exhibit copies of engravings in my window, as an invitation to persons to come to me—I never engraved such a plate as this in my life—I could have done it—he produced it at the first interview, and said he wanted that and some others like it, only for different sums of money—he did not tell me where he lived, or where he was to be found—I did not ask him—every appoint-

ment I made, except the 7th of November, he kept exactly—on one occasion, after he first came, I appointed for him to come on a Monday, and got a friend, who was a foreigner and spoke English well, to meet him—my friend remained all day at my house, but he did not come—that was in October—I never produced to him any sample of what I had done—I had never began the plate—I did not know it was against law to do it, but I knew, from his wishing a fac-simile, that it was against law—I did not tell him so—I did not give him any caution at all—I gave him no intimation that he was doing any thing that might not be done in this country, nor that he was asking me to commit a felony—I first went to Baring's—I do not remember the day—I saw Mr. Bates, one of the partners—he made an appointment for next day, and there I met Mr. Lawford, his solicitor—I saw the prisoner four or five times afterwards before I had him taken into custody—I told him nothing about the inquiry that was being made—some of the engine-work in this engraving cannot be done except by those who have the tools—Perkins and Heath do a great deal of it, and I believe they first introduced it—it is done by others now—I can do it—the prisoner said that "Jaco & Co." was the firm of his uncle, at New Orleans.

GEORGE ELAM. I am shopman to Mr. Morrison, stationer, in Fenchurch-street—I speak French. In October last the prisoner called at master's shop, and asked me in French for some Bank-note paper, and produced a foreign note to me—it was such a note as this—(*looking at one*)—I told him we had none of the paper, but we could get him some—he said he would call again, and did call a day or two afterwards, and I delivered him some pieces of paper, as samples—(*looking at some*)—these are two of the samples I produced to him—Mr. Morrison put this mark on them before I gave them to him—he said he should want two hundred reams.

Cross-examined. *Q.* The mark your master put on was this "21*s.* a Rm."? *A.* Yes—I do not remember the first expression the prisoner used—he asked if we had any paper like that—he began to speak in French to me—he spoke a word or two in English, but very little.

MR. CLARKSON. *Q.* In consequence of what he said, did you give him those two pieces of paper? *A.* Mr. Morrison gave them to him, and he took them away.

COURT. *Q.* You say now he asked for paper like that—you said before he asked for Bank paper? *A.* He pointed to it, and desired to have paper like that—he said in French that he wanted two hundred reams.

WILLIAM MORRISON. I am a stationer, and live in Fenchurch-street. I remember the prisoner coming to my house—I marked these samples of paper, 21*s.* per ream each, before I gaveit to him—Elam conversed with him.

Cross-examined. *Q.* You know nothing about him, I suppose? *A.* No.

GEORGE ACKERMANN. I live in the Strand—I am not an engraver, but we take in engraving—we are stationers and printers—we procure printing by type also to be done. The prisoner came to my shop several times about the latter end of September last, to procure samples of type—I understood him to say he should require several hundred pounds of type, for a French newspaper—he said it was for his uncle, at Margate—I procured him some samples of type—he called on two occasions—I gave him a sample at first which was not correct—he brought the same particulars, written down, respecting some other type, and I procured them—I have the type,

and also the impression from them—this is one of the samples—(*looking at it*)—he brought it back, saying it would not do—he never afterwards came for more—this specimen of type is composed of similar letters as the word, "New Orleans," printed on the note.

Cross-examined. *Q.* This is entirely of your making? *A.* I was present when one of our printers delivered it to him—he gave me no sample—he merely wrote down certain letters, which I was to procure for him—the first I got him would not do, and then he applied for this—I recommended him to have the whole alphabet—I presume the letters form the word "C. Robinson"—I did not know the prisoner at all before.

Mr. Clarkson. *Q.* Did you recommend him to have all the letters? *A.* Yes, thinking he could not procure samples without taking the whole alphabet—he said he did not want them—I cannot recollect in what order he wrote the letters.

Ebenezer Brown. I keep the Blue Anchor, in St. Mary-at-Hill, near the Thames. The prisoner came to lodge at my house on the 26th of September, and continued there four weeks and five days, previous to his going to France—he left on a Friday, to go to Paris, as he said—he was gone about eight or nine days—he did not pay my account when he left—he left a fifty-dollar note of the Louisiana Bank as security—he did not settle his account when he returned—he remained at my house six days afterwards—I have left the note at home—I remember Forrester, the officer, coming to my house—he examined a box which belonged to the prisoner—I have seen the prisoner write at my house on several occasions—(*looking at the letter produced*)—I cannot positively say this is his writing, but I believe it is, to the best of my belief—I have seen him write two or three hands, and believe the name at the end of this passport to be his writing—(*looking at it*)—and also the name at the corner of this—(*this was an entry from the Alien Office.*)

Cross-examined. *Q.* You say you have seen him write on several occasions? *A.* Yes, I have seen him at the table writing, and in his room—I have not paid particular attention to the form of his letters—I cannot speak French—I can read it a little—I am aware that all French people have a peculiar character of writing—I could not distinguish his writing from other Frenchmen's—he writes a different hand to them, and I have a letter which I know to be his writing—it is not by comparison with that that I say this is his writing—I believe all these three to be his writing, though I have seen him write different hands.

Q. Did not he complain of having lost some property at your house? *A.* He did—I should like to go into the merits of that—his box was in his bed-room—the door was locked, and the box also—Forrester took the papers out of the box—the prisoner was not present—he was in custody at the time—Forrester took all the papers he found—this letter was shown to me by Mr. Lawford, the solicitor, at the second examination—I should say this was the prisoner's hand—(*looking at another letter.*)

Mr. Clarkson. *Q.* Did Forrester describe to you who he was before he searched? Yes—I believe this letter to be the prisoner's handwriting.

Mr. Ackermann *re-examined.* On the second or third occasion, when the prisoner came to me, and returned the type, he produced this letter to me, and said he brought it from his uncle—(*This letter, being read, was signed "Pifard," who represented himself to be the uncle of the prisoner—it stated the samples of type were not sufficiently neat for the use of the journal,*

and that he should have been in London had he not been suffering from the gout: wishing other letters to be made, and stating that six hundred weight would be wanted—it was dated, "Margate, the 2nd of October, 1837"—the papers found in the prisoner's box were a passport granted to visit Paris on the 27th of September, and an entry at the Alien-office.)

DANIEL FORRESTER. I am an officer. I took the prisoner on Thursday, the 16th—I searched his person, and found several papers, two notes, and three keys—these are the notes I found on him—I went to the Blue Anchor either on the Friday or Saturday—I applied one key to a box showed me by Brown—it opened it—it was padlocked, and, I think, locked also—I found the passport and the entry there, and two pieces of Bank-note paper, which Mr. Morrison has spoken to, and one besides.

Cross-examined. *Q.* The prisoner was not there when you searched his box? *A.* No—I took a great many papers out besides these—I did not mark them when I took them out—I had them in my possession till I gave them up to Mr. Lawford last Thursday, when I marked some, and gave to Mr. Lawford, and the remainder I returned to the prisoner—they had been in my possession about sixteen days—the prisoner had not access to them in that time, but I showed them to his solicitor, who examined them in my presence—I think that was a day or two after the second examination—I kept the papers in case they should be wanted—what I took from the prisoner's person I think I showed to Mr. Lawford on the next day, and those found in his box, on the Saturday or Monday—Mr. Lawford looked them over, and returned them to me—he did not say whether he should want the others or not—about Thursday last he looked over them again, some were then retained, and the others given to the prisoner—I marked those I took from his person before I gave them to Mr. Lawford, and the rest at the Mansion-house before I gave them to him.

WILLIAM JOSHUA BACON. I am an engraver and printer, and am one of the firm of Perkins and Co., of Fleet-street. On the 24th of October the prisoner came to my house—a gentleman named White, in my service, who speaks French very well, acted as interpreter between me and the prisoner in every thing that passed.

WILLIAM WHITE. I am in Mr. Bacon's employ—I understand the French language perfectly well. I faithfully interpreted to Mr. Bacon the conversation between myself and the prisoner on his coming to the house on the 24th of October—he had called the previous evening, and presented a twenty-dollar note, of the Louisiana Bank, wishing it to be copied perfectly, and wished to know the price of copying it, and the time it would take—we told him Mr. Bacon was not in the house, but would be on the following day, and it was agreed he should come and see him—he came the following day, and Mr. Bacon was then at home—Mr. Bacon asked him what right he had to have the note copied—I put the question to him—Mr. Bacon said, "Have you any house in London that you can refer us to, in order that we may know you are authorised to have this imitated?"—he said he had no house; that he was a merchant, who had a quantity of coffee, and other colonial produce; and in the course of his travels he was to have this copied, being himself a Director of the Bank; that he had nothing but a *viva voce* order of the Committee of Directors—Mr. Bacon then stated to him, that as he had no house in London to which he could refer us, his errand was very questionable; though he himself might be an honourable man, which he did not doubt, he was going just the way any forger would to have a thing executed—on the previous evening he had said that these

Before Mr. Recorder.

186. JACOB FLESCH, JOHN JACKSON, and JULIUS HENOCHOBERG, were indicted for stealing on the 10th of October, a sextant, value 18*l.*; and a quadrant, value 5*l.*; the goods of George Whitbread.

GEORGE WHITBREAD. I am a mathematical instrument-maker, and live in Exmouth-street, Commercial-road. The prisoner Flesch lived opposite to me about five months—I first became acquainted with him about the 20th of September, when he introduced himself to me, by saying that he had lived opposite to me for five months, and stated that he was a general agent for Mr. Brandis, of King-street, Liverpool, and wished to know if I would like to enter into a small speculation—I understood by his making signs to me, that it was a speculation in telescopes—I let him have three for five or six days—he then returned them, saying that he had a letter from Mr. Brandis, saying that he highly approved of them, but was dissatisfied at their not having the maker's name on them, and I got my name engraved—he brought, at the same time, a paper with "mathematical and philosophical instruments" written on it, which he said he took out of the dictionary, not knowing the terms, or any thing of the sort—I said I had a handled quadrant and microscope—I gave him an invoice of them made out to himself—those are not the goods in the indictment—he called on me again on Tuesday morning, the 3rd of October, and said, that on Monday evening he had been in company with Captain Jackson, at a sort of "free and easy," in Rosemary-lane, who had given him his card, and introduced himself to him, and he thought of doing business with him—that he had invited him to come and take tea with him that afternoon, and wished to know if I would let him have a sextant to show Captain Jackson—he had seen a sextant previously—I hesitated, and he felt hurt at my suspicions—I said I was very sorry, but as I had not received the money for the first goods, and (Thursday had not arrived when he said Mr. Brandis would call on me) I felt rather uncomfortable having let him have 9*l.* 13*s.* worth of goods, which were the three telescopes, quadrant, and microscope—I told him he might take the quadrant and show as a specimen, but as a sextant was a delicate instrument, I was afraid it might be hurt—he took the quadrant, and said he would return it in two hours, which he did, and then wished to know if I would bring the sextant and quadrant over to his house together, about a quarter to four o'clock, to show Captain Jackson—I went, and all the prisoners were there smoking their pipes and drinking rum-and-water—I placed the articles on the table—they all looked at them, and said they were very fine instruments—Jackson said he did not understand them particularly, but they pretended to bargain about them—Jackson said he liked it very much—Henochoberg said it was a fine instrument—Flesch said, "Well, I must have 10*l.* for this instrument"—Jackson said it was a great deal of money—Flesch left the room, and Jackson said to me, "Is Flesch a fair dealing man?"—I made no answer—he said, "Oh, I know him very well"—Flesch returned, and having some misgiving, I said to Jackson, "What are you?"—he said, "I am on the water, or sea," I do not recollect which—he said Mr. Flesch must come with him to the hotel in Leicester-square, which was a subscription-room, and nobody was allowed to enter but subscribers, or those who were introduced, and if I would come with Flesch and dine with him he should be glad to see me, and to bring some of my cards with me—I said, if it was agreeable, I would go with Flesch with the instruments—he said if I brought my cards there were a number of

captains there, and two wanted instruments; that he would introduce me to them, and could no doubt sell some instruments for me—Jackson said Flesch was to go with the instruments, to have the opinion of a friend there about the sextant—I said, if it was agreeable to them, I would go with Flesch—Jackson objected, and said he never allowed a third person present when he was doing business—I said, "Mr. Flesch, perhaps you will step over to my house before you go?"—he said he would—I went out and went to their landlady, and then went home—Flesch came over very much agitated—I said, "Mr. Flesch, I feel very uncomfortable about the instruments"—I had left them at his place—he said, "Why do you feel uncomfortable?" I said, "Because I have had no money yet, and you are a stranger to me"—he said, "Oh, I think Jackson won't go to night, for he has taken a glass too much, and you can go in the morning with me and make an excuse for going again in the afternoon, saying you have forgot your cards"—I afterwards went to my bed-room window, and saw Jackson and Flesch go out—Flesch had the two instruments in his hand—Henochoberg followed after—I directly ran down and followed them to Sidney-street—there was a pawnbroker's at the corner—I lost sight of Jackson and Flesch all in a moment, and suppose Henochoberg went down a street—I went into the pawnbroker's side door, but they were not there—I ran to the top of the Commercial-road, but could see nothing of them—I ran back to the house, and spoke to the landlady—next morning she came to me, and in consequence of what she said I went over to her house, and a friend went round to all the pawnbroker's with me—we found the quadrant at Fleming's, in Newgate-street, and the sextant has since been found at Mr. Myers's, in London-road—my distinct understanding with Flesch was, that the goods were to be returned that night, or the money—I had not sold either of them—I had made out an invoice of them, for he ran over in a great hurry, and said, "Will you make out an invoice and receipt it, for I am in a great hurry?"—that invoice is here—Flesch put it into his pocket in my house—I have never received a farthing of the money—this invoice has on it, "Discount five per cent.; settled, J. Whitbread"—he asked me to write that—he promised to return the goods that night, or the money.

Cross-examined by Mr. Ballantine. *Q.* If he had brought the money you would have made no further inquiry about the goods? *A.* I certainly should have taken the money—I had already given a receipt for it on the bill—this invoice is precisely similar to the one for the telescopes—he first had them on the 20th of September and returned them—he got them on the representation that he could part with them to Mr. Brandis—Flesch speaks very good English—he wrote three letters, recommending me to three houses—he proposed doing that himself—I said I should be obliged to him, and he wrote them—that was after he had obtained the telescopes—he told me he had seen Jackson previously, but never had any business with him—the invoice was made out to Flesch for the quadrant and sextant, not to Jackson—I expected the money or the goods that evening—I had nothing to do with Jackson—I never said I had no wish to be hard on him—I was never in Jackson's company till I took the sextant and quadrant there—that was the only time I saw him—I considered Flesch answerable for the money or goods—he was to bring goods or money that evening—I did not carry any invoice over with the goods—it was made out at my house, and given to Flesch, about a quarter of an hour—I took the sextant and quadrant over—he put it into his pocket, and Jackson supposed he had gone to the back of the house for it

—when they looked at the articles, there was to be an alteration in the name—I said it was impossible to alter the name to Jackson—Flesch said if Jackson bought them he could have a silver plate put on—I was to have money or goods by eleven or half-past eleven o'clock that night.

COURT. *Q.* He was to decide whether he would buy them or not? *A.* He was to take them to Leicester-square, for his friend's opinion—he wanted the invoice to show Jackson, that he should understand he had bought the goods of me—I did not state in their presence that they were my goods, and that I had not been paid—I had it in my mind not to leave the goods with them, but not proving whether Flesch was an honest man, it was a matter of delicacy on my part—I left them, for them to go with Jackson to Leicester-square—I fully expected the goods or money by half-past eleven o'clock—I parted with them merely to be inspected—I said to Flesch, "It is quite immaterial to me whether I sell them or not"—I left them to him to sell, for that short period, if he thought proper.

The facts of this case amounting to a fraud, but not a felony, the prisoners were ACQUITTED.

NEW COURT.—*Monday, December 4th,* 1837.

Sixth Jury, before Mr. Common Sergeant.

187. RICHARD PALMER was indicted for a misdemeanor.

JOHANNA HANNAN. I know the prisoner—he came to my house in Beaumont-row, Stepney on the 7th of November—I said, "There you are, *Dick*"—"Yes," says he—I said, "Where is my son? how is he?"—he said, "Very well, but he is not at work to-day; for last night being bonfire night, he got into a *scrummage*, and struck one of the officers, and has got locked up, and there is 2*l.* to pay"—he said he had been running about all day and had got 1*l.* 8*s.*, and he wanted 12*s.* more to make up 2*l.* to pay down, or he could not get out—I gave him a half-sovereign and half-a-crown—he came next day, and said, "I am come to tell you all is well, your son is out and gone to work"—I gave him a dinner and tea; and when he was going out, he said, "Your son will be obliged to you to let him have as much as will make up a sovereign"—I said, "How can he be so unthinking, he knows I borrowed the other"—I went and got him half-a-crown more; and I offered him the contents of the cupboard, but he would not take that—it was from his pretending that he came from my son for this money that I gave him the half-sovereign and half-crown.

JOHN HANNAN. I am the son of Johanna Hannan. I was not locked up for striking an officer—I did not send the prisoner to my mother for this money—I had not seen him for six months.

GUILTY.* Aged 19.—Transported for Seven Years.

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188. WILLIAM THOMAS BANBURY was indicted for a misdemeanor.

HENRY BRODERIBB. I live at No. 23, Bread-street, Cheapside, and am a grocer. The prisoner had been in my employ, but I discharged him six weeks ago—before November—I did not authorise him to collect money for me after that time—he left me in October, and I have not employed him since—I did not authorise him to go to Mr. Willey's.

JAMES DIXON. I am shopman to Mr. Richard Willey, of Ludgate-street, a linen-draper. The prisoner came on the 25th of November, and said he called from Mr. Broderibb for his account—I took a number of books up, and he said, "The red backed book is the book"—I paid him 1*l.* 9*s.*, believing him to be authorised to receive it for Mr. Broderibb.

Prisoner. I never saw him—I was not near the house. *Witness.* I am sure he is the man.

EDWIN BOUCHER. I am cashier to Mr. Willey. I remember the prisoner coming—I gave a sovereign and 9*s.* to Dixon to give the prisoner—I am sure he is the man.

GUILTY. Aged 19.—Transported for Seven Years.

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189. WILLIAM JOHNSON was indicted for a misdemeanor.

EMANUEL MOSS. The prisoner has never been in my service—I never owed him any wages—he did not belong to the brig *Roberts*—there is no Captain Johnson of that brig—the prisoner presented a forged order to my brother—I live with my brother.

RICHARD MOSS. On the first occasion the prisoner got 1*s.* from me, and on the Monday he came and got a suit of clothes, stockings, and the other things—he left a ship note—he said he belonged to the *Roberts*, and was going to be paid on Thursday, and to receive 15*l.* 7*s.* 6*d.*—it was in consequence of this statement that I let him have it, and the prisoner stating that my brother always did the same for him when he came to town—I believed that to be true.

Prisoner. I carried my landlord to this young man, and demanded my note—I offered him a shilling, and he would not have it. *Witness.* He brought a lodging-house-keeper with him, and asked me for the note, and I would not give it him.

Prisoner. I borrowed the shilling, and said I would be down on Monday morning—I did not say it was a note for any money whatever. I got the shilling from him on Saturday night, and I took the landlord to get the note back; and when I could not get the note I took the clothes—he took the note on his own head—I did not offer it for any clothes. *Witness.* The prisoner called me on one side, and said, "Don't give the lodging-house-keeper the note, it matters not who I deal with, I want a tidy suit of clothes till Thursday.

COURT. *Q.* Was it in consequence of this that you let him have the money, you believing it to be true? *A.* Yes; he brought the note, and asked for my brother—I said he was in the country—he said, "I am going to be paid on Thursday, I let him have the shilling."

Prisoner's Defence. I went into the prosecutor's shop on Saturday evening, about seven o'clock, and asked if he would lend me a shilling—he seeing the paper in my hand complied—I went on Monday, offered the shilling, and demanded my note, which he would not let me have, and advised me not to have any thing to do with the lodging-house-keeper, as he would fit me better and cheaper—I then made choice of a suit, which I would not have done if he had let me have my note.

GUILTY. Aged 26.—Confined Three Months.

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190. CAROLINE MILLS was indicted for stealing, on the 28th of [illegible]ber, 1 night-gown, value 2*s.* 6*d.*; 3 handkerchiefs, value 7*s.*;

1 glass-cloth, value 1*s.*; 1 table-cloth, value 5*s.*; 1
1 comb, value 4*d*; and 1 lancet, value 2*s.*; the goods
ley, her master.

WILLIAM WALKLEY. I keep the King's Head, in Jam
ster. The prisoner was my servant—on the 28th of Octo
found the articles stated in her room, tied up under h
all my property, and were taken from my bed-room—I
it—she said they were her own—we found this lance
there; was a round towel, cut in three, which she said s

THOMAS GREEN. I am a constable. I took the
this was her property—she went down stairs, and ran

Prisoner. My prosecutor desired me to put on m
and I went down stairs—I had been cleaning on the
these things up stairs with some dirty things of my
cealed them—I had no key to my box or cupboard.

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191. ANN WALL was indicted for stealing, on th
1 pair of ear-rings, value 5*s.*, the goods of George J
person of Rebecca Ford.

MR. HORRY *conducted the Prosecu*

REBECCA FORD. I am six years old. I was goi
day morning—I met the prisoner—she said I was to
and have some drops in them—we then went to the
win's-gardens—I there saw five gentlemen—the
Sir, will you take this little girl's ear-rings out, and
—then we let him take them out, and she left us at
den, and went off—my sister was with me—she is

GEORGE JOSEPH FORD. I am the father of thi
with her ear-rings, and returned without them—I we
and saw Mr. Barrymore—they were found there af
when the prisoner was taken—the pawnbroker d
gave the pawnbroker into custody—he was out on

BARRYMORE. I produce the ear-ri
at my brother's shop—the prisoner brought one p
her mother had sent her, and the other pair was so
could not take them out—I was not in the ho
came, and my brother knew nothing about it.

GUILTY. Aged 14.—Transported for Ten
the Penitentiary.

(There were three other indictments against th

ESSEX CASES.

Before Mr. Recorder.

[illegible] ILLE, JAMES WEBST
[illegible] ling, on the 20th of
[illegible] Fellowes.
[illegible] Layton, in the
[illegible] as Gray Fello

they were allowed to run in the forest by day, and were penned up at night —on Friday, the 20th of October, I saw the two pigs on my brother's premises —I afterwards saw the same pigs in a yard at Chipping Ongar—I am sure they are the same that belonged to him—he is ill—I know the two Webs-ters—I do not know the other prisoner so well—they live at Walthamstow.

THOMAS REYNOLDS. I live at Chipping Ongar, and am a shopkeeper, and collector of the market tolls. I was sent for by the landlord of the Red Lion—(I do not know the day of the month,) and there Saville asked me to buy these two pigs—I asked what he wanted—he said 5*l.* for the two—I told him I thought it was too much money, and asked how he came by them—he said he bought them of a man named Lyon; and they were his father's pigs—I asked if he would take 40*s.*—he said no—I walked a little distance, and he followed me, and asked if I would have them—I said, "Drive them to market; I will see"—he drove them to the White Horse yard, and a man came to buy them for 4*l.*, and I said, "Don't pay, I think they are stolen," in Saville's presence, so that he could hear me—he did not wait for the money, but walked away about two hundred yards—I followed him, and told him I was certain they were stolen—after a little time he said he had stolen them from the forest, from Captain Fellows—he said, "If you mean to take me, there are two others; you may as well have them" —I had seen James Webster, before he came to me to buy the pigs, with John Webster—he was running up the hill, and was taken, from the information Saville gave me.

BENJAMIN GREEN. I am a well-digger, and live at High Roothing, Essex. I know Mr. Cowan the butcher, at Chipping Ongar—I accompanied Reynolds down to near Ongar-bridge—I saw him take Saville into custody—in consequence of something that Saville said, I ran up the hill and called, "Stop thief"—when I called, John Webster ran through a hedge and across one field—I followed and took him back to Ongar—they said they stole the two pigs at three o'clock, on Friday evening, from Salter's-buildings, the property of Captain Fellows—that was said by one in presence of the other, if they did not both say so, and I went to that house to inquire—I did not see James Webster there.

RICHARD PINSETT. I am a constable, and live at Ongar. I took James Webster into custody, and brought him to the Red Lion, at Chipping Ongar.

EDWARD PERRY. The pigs were delivered to my care by Reynolds—I think on the 28th, I showed the same pigs to Mr. Bennett Fellows.

THOMAS REYNOLDS *re-examined.* I gave the same pigs to Perry that I took from Saville.

(The prisoner Saville received a good character.)

SAVILLE—GUILTY. Aged 17.—*Recommended to mercy by the Jury and Prosecutor.*—Confined Six Weeks.

JAMES WEBSTER } NOT GUILTY.
JOHN WEBSTER }

Before Mr. Common Sergeant.

193. SAMUEL SIMMONS was indicted for stealing, on the 2nd of November, 1 wooden post, called a picket post, value 6*d.*; 4 pieces of wood, value 3*s.*; and 1 slab of wood, value 2*s.*; the goods of Peter Mallard, Esq.

MR. PHILLIPS *conducted the Prosecution.*

MALLARD. I live with my father, Mr. Peter Mallard, he is a

Magistrate of the County. The prisoner lived in a house adjoining my father's stable—for some time past we have missed wood and planks—there is some here which I had seen safe on our premises about two or three months ago—I have frequently seen the prisoner on our premises—in consequence of which I made a remark to my father, and went, on the 2nd of November, with Mr. Pritchard, the inspector, to the prisoner's premises—Mr. Pritchard told him we had come to look over his premises to search for my father's wood—he said he was sure there was none of my father's property there, and we were welcome to look—we went into the yard and found two pieces of plank—it was then an entire bit, but has been sawn since—the prisoner said, "Master John, it does not belong to you, it is part of a shed I bought of Mr —," some name that I cannot recollect —I brought it home—we went into the cellar and found the picket post behind the door—he said he had used that to put down some posts, and said it was my father's—he had no right to take any of my father's property—I found other things which I believed to be my father's.

Cross-examined by MR. DOANE. *Q.* Was not the prisoner employed by your father to make a large tank on his premises? *A.* No, not at that time—it was finished before this—the wood-work was—I had examined it—Mr. Noble, a carpenter and builder, had made the tank—it did not answer, and the prisoner sank it a little deeper—about six or eight inches lower than it was originally—it was made in our yard—there was a good deal of wood-work used in it—it was the prisoner's business to take the wood for it—there was some fencing done by Mr. Noble, not by the prisoner—he altered a gate—I cannot remember his doing any fencing, but I will not swear he did not—this wood is not fit to make spars for a gate—the prisoner asked for some pieces of willow, to make children's toys, which I gave him—this plank was found in his open yard—I made a remark that we had got no thieves about our premises but an old man, and desired he should be watched—I did not detect that old man with wood—I detected a man with two staves, and let him go—the prisoner was employed to set some willows in our ground—this picket post would answer the purpose of making a deep hole to plant them.

MR. PHILLIPS. *Q.* Where did you find the post? *A.* In the front cellar, concealed under a great-coat behind the door—the tank was made on our own premises—the prisoner had no right to take wood off our premises to his.

MR. DOANE. *Q.* Do not you know that it was not concealed behind the door, but that the door opened the other way? *A.* I cannot recollect that.

BENJAMIN PRITCHARD. I am inspector of the horse-patrol. I went to the prisoner's premises, and found the things—on looking round, Mr. Peter Mallard said, "Here is some of my wood"—the prisoner said, "No, Sir" —he said, "Yes, it is"—the prisoner said, "Mr. John gave me that, if it is yours"—Mr. Mallard doubted that, and said he would call his son; and we went in together—we found the picket post and some pieces of willow in the cellar, which young Mr. Mallard claimed as his father's—the prisoner said Mr. John Mallard had given him a piece of willow to make a toy for his children—Mr. Mallard said he did not give him this piece—the prisoner then said he took them, thinking there was no harm in it—Mr. Mallard asked him how he accounted for the plank coming to his premises —he said he could not account for it, and then begged Mr. Mallard's pardon, and hoped he would forgive him.

Cross-examined. Q. This was in the open yard? *A.* Yes—I could have access there at all times—it adjoins Mr. Mallard's premises, but there is a high wall between—he was not employed on the tank at that time—he was sinking a cesspool in his own garden—I know he had wood on his own premises at Chigwell—he has been in the police force better than fifteen years—he has conducted himself with great propriety and activity.

Mr. Phillips. Q. Do you know of his being suspected? *A.* Yes, and Mr. Mallard took great pains to get him back into the force—it was for going on the forest, and entering a house.

Mr. Doane. Q. Was it not entering under a wrong idea? *A.* Yes.

John Marlow. I am a policeman. These things were given to me—I did not find them. NOT GUILTY.

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194. JOHN CLARE and EDWARD CLARE were indicted for stealing, on the 23rd of November, 33lbs. weight of hay, value 5s., the goods of John Tyler.

Mr. Jernyngham *conducted the Prosecution.*

John Tyler. I am a farmer, and live at Layton, in Essex. I had a large quantity of hay in my rick-yard—from information I received I was induced to suppose some was removed—I accompanied an officer and another person to the prisoner's premises—we went across some fields and saw hay scattered, and footmarks were traced to the prisoner's, where this hay was—I went to the owner, John Clare—he came and opened the shed, and let us go in—there are samples of the hay here—I can identify one, it is thatched with rye straw, and the bottom was bean straw, and it is mixed—there is not another farmer in Essex that has the two mixed together—the prisoners live together.

Cross-examined by Mr. Chambers. Q. What do you know of them? *A.* I have known them ten or twelve years—their horses are fed together—they were cutting this hay into chaff when we found it, but neither of the prisoners were there—it is a temporary shed in Clare's field—it was locked when John Clare came and opened it—I would not go in without his permission.

David Johnson. I am a horse-patrol. I accompanied the prosecutor to the prisoners' premises—I observed hay scattered in different directions to that in which we went in the field—there is a foot-path from the prisoners' house to the barn—the hay was scattered in a direction from the barn towards Mr. Tyler's farm—I found three bundles of hay on Clare's premises, which weighed about 133lbs.—the shed appeared to have been done up in the usual way—it was not locked when I got there—there was a padlock on the door.

Cross-examined by Mr. Phillips. Q. Was not the padlock hanging on the staple? *A.* Mr. Tyler had been there before I got there, and after I took John I went to take Edward—I did not take him to see if his footmarks corresponded—there were foot-marks from Mr. Tyler's to the barn—I tried John's shoes, but it having been raining I could not trace them—I have known the prisoners these nine years.

Richard Plaxton. I am a farmer, and live at Wanstead. I know the prisoners—they live together—Edward Clare rents two fields of my landlord—the field where the barn is is one of them—I observed a great scattering of hay in my field, in the direction from Mr. Tyler's to Clare's, and I [illegible] Tyler—there is no footpath through my field where I observed

EDWARD WATTS. I am a farmer's labourer. I was employed last Thursday to bind some hay from the rick of Mr. Tyler, and I left a truss and a half of hay to do—I went again on Saturday morning, and the hay was gone—these samples are of the same hay.

Cross-examined by MR. PHILLIPS. *Q.* If you met with that at Norwich, you would take your oath it was Mr. Tyler's? *A.* I do not know that, as I have seen a good deal like it—it is common hay. NOT GUILTY.

KENT CASES.

First Jury, before Mr. Recorder.

195. JOHN BELL, CHARLES CARTY, MICHAEL BELL, and THOMAS GRATWICK were indicted for stealing a quantity of lead.
(Upon which no evidence was offered.) NOT GUILTY.

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196. MICHAEL BELL was indicted for a like offence.
(Upon which no evidence was offered.) NOT GUILTY.

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197. HENRY BARNES was indicted for misdemeanor.
NOT GUILTY.

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198. PHILIP WALKER and EVAN JONES were indicted for stealing, on the 31st of October, 22lbs. weight of beef, value 12*s.*, the goods of John Gamon.

JOHN GAMON. I am a butcher, and live in Church-street, Woolwich. On the 31st of October I quitted my shop for a short time, and when I returned, I found the two prisoners in the shop—there was a rump of beef lying on the block—when I left the shop it was hanging on the hook at the door—it weighed 22lbs.—I left a female servant in the shop.

MARY MARSH. I am servant to Mr. Gamon. I recollect on the 31st of October being in my master's shop with the baby—the two prisoners came in and asked me the price of a sheep's head—I told them 8*d.*—Walker said, "Ask your mistress"—I went and asked her—she said 8*d.*—I told them—Walker told me to go and ask if he could not have it for 6*d.*—I went, and Jones, the man that had been at the shop, was gone—the other stayed in the shop for an answer—Jones was brought back by somebody from the street—he had a rump of beef in his hands—the man took it from him, put it on the block, and said to Walker, "Now I have got you both"—my master came with the constable, and they were given into custody—they had come in together, and I saw them speak together—my mistress was in the back parlour—there was a little passage—I went and opened the door—that made me turn my back.

Walker. *Q.* Did you see me touch any thing, or attempt to touch any thing? *A.* No—my mistress said the price was 8*d.*, and she could not take less, Walker then turned to go out, and the other man was brought back.

THOMAS CUMMINGS. I am a constable. I was sent for to the shop—Jones pretended to faint when I put my hands to him to put the handcuffs on him—Walker said he knew nothing about it—I searched them the next morning, and found 2*d.* on one, and 1*d.* on the other—they had no op-

portunity of spending any money—I said I wished they had been at teh devil before they touched the beef—they both said they were sorry they did; it was a bad job—I should say they had been drinking.

Walker. I had one silver shilling in my pocket, which I gave to my wife to get provisions—it was in my under waistcoat. *Witness.* I searched him, and found a knife, comb, and 2*d.*—I thought I searched him all over—I searched a pocket that he had on—his wife had no opportunity of seeing him till the next day, when she brought him a clean shirt.

JONES—GUILTY. Aged 22.—Confined One Month.
WALKER—NOT GUILTY.

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199. SIMON MORGAN was indicted for stealing, on the 9th of November, 8 pairs of trowsers, value 2*l.* 10*s.*; and 1 brass rod, value 6*d.*; the goods of John Moore and another.

JOHN MOORE. I am a pawnbroker, and live in Richard-street, Woolwich, in partnership with Thomas Pacey Burts. On the night of the 9th of November I heard a voice cry out, "Mr. Moore, somebody is stealing your trowsers"—I ran out, and caught the prisoner with eight pairs of trowsers in his possession—they were trailing on the ground—I took him myself—a watchman was behind, and I gave him into custody—the trowsers hung outside the front of my shop on a rod, about seven o'clock in the evening—he had taken rod and all.

Prisoner. You did not see me steal them—I picked them up.

PETER INCH. I am a watchman. I was passing along Richard-street on the 9th of November, and saw the prisoner take the trowsers off this place—I ran after him—Mr. Moore took him with them in his hand—I found 11½*d.* on him.

GUILTY.* Aged 26.—Transported for Seven Years.

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200. THOMAS JONES was indicted for stealing, on the 30th of October, 1 pair of trowsers, value 8*s.*, the goods of John Moore and another.

JOHN MOORE. I am a pawnbroker, living at Woolwich, and have a partner. These trowsers belonged to us—I missed them from the shop about seven o'clock on the evening of the 30th of October—they hung in front of my shop, outside.

WILLIAM THOMAS CHITTENDEN. I belong to the Woolwich police. I went to the shop of Mr. Booth, in Woolwich, on the 30th of October, between seven and eight o'clock in the evening, and the prisoner was given into my custody by the prosecutor—I found on him a ticket, which I have not got here—it was a label with "10*s.* 6*d.*" on it—I never saw the trowsers.

JOHN MOORE *re-examined.* I saw the ticket in the officer's possession—the prisoner was present at the time—I know it to be the ticket which had been on my trowsers—it was a printed ticket, with the price on it—I had had it in my hands many times—I detected the prisoner offering the property in pledge.

NOT GUILTY.

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201. HENRY MARE was indicted for stealing, on the 4th of November, 1 corkscrew, value 5*s.*; 2 iron hinges, value 2*d.*; and 4 oz. weight of [illegible], value 1*d.*; the goods of William Philpott.

[illegible] PHILPOTT. I live in Church-street, Greenwich. On the 4th

of November I lost my cork-screw, and other things—the prisoner worked for me about eighteen months ago—I saw him on the 4th of November, between four and five o'clock, in my shop—he said he was waiting to see a friend in Greenwich, and that he had not come yet—he came and said he had had nothing to eat all day, and I gave him 4*d.* and part of a pot of beer—he went to the College, and then returned to my shop—he went to the College again and returned—I was in the front shop—I laid my rule on the floor and went down stairs, and he followed me—I ran up for my rule, and he said, "I will go up and get it myself"—I saw him shuffle it out of his clothes, which raised my suspicion—he asked for the water-closet—I saw him go into the little room and open the door, but could not see what he took out—he then went to the water-closet, then came down and said, "Now I must go"—I sent for the policeman, and said, "Now, Mr. Mare, give me what you have taken out of the little room"—he denied having any thing—the policeman found on him the cork-screws, two hinges, and the solder—we sell the cork-screws at 5*s.* each—they are quite new.

WILLIAM WAKEMAN (*police-constable R* 78.) I was fetched to the house. Mr. Philpott said to the prisoner, "Give me up the things you took out of the little room"—he said he had none, and had not been in the room—Mr. Philpott said, "I know you have something, but what it is I cannot say"—he put his hand in his breast, and took out the cork-screws, and then took the hinges from his pocket—as I took him to the station-house, he said he meant to pawn the things to get him a night's lodging—I found the solder on him at the station-house.

Prisoner's Defence. For the last six months I have been out of employ, and for three months was in bed, and several nights have been out all night, having no bed to go to—I went to Greenwich, expecting to meet a friend to give me money, and procure me a situation—he had not returned to town, and I went into Mr. Philpott's shop, to ask where to get lodgings—I took these things, intending to redeem them on the Saturday following.

GUILTY. Aged 50.—Confined Six Weeks.

Before Mr. Justice Park.

202. WILLIAM VESEY was indicted for feloniously breaking and entering the dwelling-house of Joseph Rees, on the 4th of November, at Greenwich, and stealing therein, 1 coat, value 1*l.* 5*s.*; 1 pair of trowsers, value 7*s.*; 1 sovereign, 2 half-sovereigns, 4 crown-pieces, 8 half-crowns, 18 shillings, and 4 sixpences, the goods and monies of David Rees; and 2 coats, value 2*l.* 5*s.*; 1 pair of trowsers, value 1*l.*; 1 handkerchief, value 2*s.*; 1 box, value 2*s.*; 4 sovereigns, 1 half-sovereign, 4 crowns, and 6 half-crowns; the goods and monies of the said Joseph Rees.

MR. BODKIN *conducted the Prosecution.*

JOSEPH REES. I live in Bridge-street, Greenwich, with my brother David—we rent a room in the house—on the 4th of November, at six o'clock in the morning, I left the room to go to work—my brother had gone out before me—I left nobody in the room—I locked the door—I had a box in the room, containing five sovereigns, and 1*l.* 13*s.* 6*d.* in silver—it was locked—there was also a great coat of mine in the same box, with a body-coat, a pair of light trowsers, and a silk-handkerchief—my brother had a box besides mine—I returned to the room about half-past eleven o'clock at night, and found two policemen and my brother there—I found my box

down in the yard, broken open and empty—I found in the yard a sheet in a wrapper, a half-sovereign, and a half-crown—I have known the prisoner all my life—he used to go about to fairs, and job about my uncle's yard—he knew the premises as well as I knew them myself—I pay the rent of the room—my brother pays me part of it—it is a house belonging to my uncle, let out in tenements—we pay 1*s.* 9*d.* a week for our room—it belongs to us both.

David Rees. I live with my brother. On the 4th of November I had a box in the room, containing 5*l.*, 2*l.* in gold and three in silver—I went out at five o'clock in the morning, and returned two or three times in the course of the day—the last time was between four and five o'clock—I went out again almost directly, and left the room fastened, and my box, containing the money, a coat, and trowsers, safe—I returned just before twelve o'clock at night, before my brother—I unlocked the door, went in, and found the window open—I went in, and got a light—I found my box in the room open, and all the property taken out, and my brother's box gone altogether—my box had been left locked—I called in the officers.

Prisoner. He said before the Magistrate it was half-past eleven o'clock when he went home. *Witness.* It was between eleven and twelve o'clock.

Richard Lillywhite. I am a constable of Greenwich. On Sunday morning, the 5th of November, at half-past ten o'clock, I heard of the robbery, and in consequence of information, accompanied the prosecutor to London—I was close to the Black Horse public-house, near the Mint, on Tower-hill, and observed the prisoner standing there—he did not perceive me coming—I have known him for ten years—I went up and took him into custody—he turned round, and I told him he was my prisoner—he said, "What is it for, Dick?"—I said, "On suspicion of breaking into a house in Bridge-street, and stealing some property belonging to Rees"—he said, "Well, I am d——d if I'm not *pinched* for housebreaking at last; do you suppose I would rob those two young men?"—I said he was the person suspected, and I must take him—he had a bundle under his arm, containing all new articles which are not claimed by the prosecutor, and he had a hat on his head—I moved him about fifty yards further, as a mob gathered, and then said I must search him—he said he would see me d——d before I should search him, unless I took him to the station-house—however, I searched him, and in his left-hand trowsers' pocket found five sovereigns and three half-sovereigns—he said he brought that money from Bletchingley fair—he has lately attended booths at fairs—the fair had been held that week.

Prisoner. He can speak to my character. *Witness.* I have known him several times in custody.

Thomas Brooks. I am a cordwainer. On Saturday evening, the 4th of November, between seven and eight o'clock, I was near the prosecutor's house, and saw the prisoner (whom I have known some time) about thirty or forty feet from the prosecutor's premises, going towards them—I thought he saw me, and shunned me, for he made a sort of short pause, and then stooped under some rails.

Prisoner. Q. When I met you, did I cross the road, or go straight up? *A.* You crossed the road, as you stooped under the paling towards the road—I could not see you cross.

[illegible] Povey. I am a carpenter. I worked at the Bee-hive, at [illegible] I saw the prisoner there on Wednesday, 1st of November—he [illegible] going to Bletchingley fair—that is held about twelve

miles from Croydon—he left to go there as he told me—I saw him again next morning, and said, "I thought you were gone to Bletchingley fair" —he said, "No, I have been as far as Croydon, and heard Prior or Webster was not there, so I came back"—they are booth-keepers—I saw him again on the Friday morning, at the Bee-hive, at eleven o'clock —he was there all that day, in and out—I saw him there as late as nine or ten o'clock, and lent him 6*d.* that night, as he had been about the tap-room all day with another young man, and they complained they had nothing to eat.

Prisoner. *Q.* Did you not say, if I fetched you seven panes of glass, you would give me 6*d.* for myself? *A.* He fetched the glass, and I think I did give him something, but it was besides the sixpence I lent him—he cleaned a pair of boots, which I gave him 2*d.* for, and 4*d.* more made up 6*d.*, and on the Saturday evening, between seven and eight o'clock, I lent him 2*d.* more, as he said he wanted a pint of beer.

MORDECAI MOSES. I live in King-street, Tower-hill. On Sunday morning, the 5th of November, I sold a person this suit of clothes for 1*l.* 5*s.* and this hat for 6*s.*—I was paid by a sovereign and 10*s.* 6*d.* in silver—a person had come in on Saturday night to sell clothes—I told the Magistrate he looked like the young man I bought them of, but I could not positively say it—the things would not suit me, and he was not in the shop three minutes—the prisoner looks something like the young man.

JANE HOLMES. I saw the prisoner on Sunday the 5th of November, in Queen-street, Tower-hill, about half-past twelve or one o'clock—I went with him to the Black-horse public-house, and said to him, "Bill, what a shabby jacket you have on"—he said he was going over to a Jew's to buy another, and pointed over to Moses's shop—I saw him in custody about an hour and a half, or two hours after.

Prisoner. I had saved the money up during the summer, from place to place—I left it in London—I told Povey I was coming to London to get some money—Moses stated at Greenwich, that the person came to his shop at eight o'clock for the clothes, and Povey said, I did not leave his place till twenty minutes to eight o'clock.

GUILTY* of stealing only—Aged 27.—Transported for Seven Years.

(The prisoner had been eight times in custody.)

Before Mr. Recorder.

203. JAMES GREEN was indicted for stealing, on the 21st of November, 448lbs. weight of coals, value 5*s.*; the goods of Samuel Pope, and others, his masters; to which he pleaded

GUILTY.—Confined One Month.

Before Lord Chief Justice Denman.

204. JAMES NEVIN was indicted for feloniously forging a receipt for £20, with intent to defraud Richard Henry Cox, and another; to which he pleaded GUILTY. Aged 47.—Confined Two Years.

Before Mr. Common Sergeant.

205. CHARLES RICHARDSON was indicted for stealing, on the 9th of November, 1 basket, value 1*s.*; and 7 dead herrings, value 3*d.*; the goods of Edward Thomas; to which he pleaded

GUILTY. Aged 20.—Confined One Month.

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206. THOMAS DAVIS was indicted for stealing, on the 25th of October, 8lbs. weight of pork, value 4*s.*, the goods of John Elsden.

JOHN ELSDEN. Between nine and ten o'clock, on the 25th of October

I heard footsteps coming across the road, and saw some person dressed in a dark frock jacket, take a leg of pork from my window outside, and run away with it under his arm—I ran after him, but could not catch him, as the street was dark—he was taken by a policeman, and the pork found on him.

Cross-examined by Mr. Doane. *Q.* How long was it between the time of your seeing the pork go, and seeing him in custody? *A.* About an hour—he had been to my shop in the mean time and bought some tobacco.

Thomas Smith. I am a policeman. I took the prisoner at the bottom of Hughes's-fields, Deptford—I asked what he had got—he said pork—I asked where he got it from—he said he bought it—I asked him to go to where he bought it—he agreed to do so, but in going up Trench's-fields, he tried to make his escape.

Cross-examined. *Q.* Did he seem to have been drinking? *A.* Yes—he was a little in liquor.

GUILTY.* Aged 30.—Confined Three Months.

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207. JOHN HOBDAY was indicted for stealing, on the 21st of November, 1 tub, value 6*d.*; and 70lbs weight of butter, value 3*l.*; the goods of John Phillips.

Johanna Phillips. I am the wife of John Phillips, a carpenter in the Dock-yard; we also keep a cheesemonger's shop in High-street, Woolwich. On the 21st of November, between eight and nine o'clock in the evening, I was serving in the shop, and saw a soldier go by the window with a tub of butter, which had been in my shop—I ran out, and my son-in-law and my husband after me—they got before me, and went up an alley by the side of our house—I followed them—I went into a neighbour's, got a light, and saw the tub of butter—I waited till my husband came up, who took it back to the shop—there was then a cry out, "We have got him"—my husband ran out, and the prisoner knocked him down, and splintered his right leg—he has never been out since.

Prisoner. *Q.* Can you say I was the person who took it? *A.* No, I cannot tell who it was, but it was a soldier—the tub stood inside the shop, near the door, with six others.

William Thomas Chittenden. About half-past eight or nine o'clock, from information I went to the prosecutor's, and saw the prisoner, and several other persons round the shop—I asked Mrs. Phillips what she charged the prisoner with—she said, "He stole the tub of butter"—it was then in the shop—I took him into custody—he absconded from me about fifty yards from the door—there were no other soldiers present when I came to the shop.

Ann Sennex. I am the wife of John Sennex, a bricklayer, living at Ship-stairs. On the day in question I saw a soldier go and take the tub away—I saw Mr. and Mrs. Phillips come out directly, and go after him—he was dressed in a big grey coat, which soldiers generally wear—I only saw his back.

Edward Harden. I am a shipwright in the Dock-yard, and live in Queen-street, Woolwich. I was in the parlour adjoining the shop, looking through the window—I saw Mrs. Phillips serving a customer—somebody said something to me—I ran up Goff-yard, which is a public thoroughfare, and got a light—I saw the prisoner—he turned to the right instead of con[illegible] the thoroughfare—I questioned him as to the propriety of his being [illegible]e went to make *water—I asked him* where the butter was

—he made no reply directly, but, a short time after, he said, "Gentlemen, I know I have done wrong, but I had no ill-intention"—he was dressed in one of the artillery great-coats—I left him in charge of two young men, and went for an officer—when I came back he was at Mr. Phillips's door, and the butter was found in Goff-court.

Prisoner. My reason for saying I had done wrong was, because I attempted to run away, which I was very sorry for—my officer could give me a good character, and I would not have risked that for twenty tubs of butter. What could I do with a tub?—I could not conceal it—the place is a public thoroughfare—any person might be there without my taking notice of them. *Witness.* Not above three minutes elapsed between my coming out of the shop and taking him—the prosecutor's is the corner house of the court, and I took him about thirty yards up the court—I did not see any other soldier there.

JOHANNA PHILLIPS *re-examined.* The man who took the tub was dressed like the prisoner, and his appearance was the same, but I could not swear to him—I did not see any other soldier there.

NOT GUILTY.

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208. THOMAS LEAVERTON was indicted for stealing, on the 27th of October, 2 pairs of shoes, value 3*s.*; and 1 pair of half-boots, value 1*s.* 6*d.*; the goods of James Coleman; to which he pleaded

GUILTY. Aged 52.—Confined Three Months.

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209. ROSE BENNETT was indicted for stealing, on the 26th of October, 1 dram glass, value 1*s.*, the goods of Charles William Sprunt.

CHARLES WILLIAM SPRUNT. I keep the Coach and Horses, in Turnpin-lane, Greenwich. On the 26th of October the prisoner came and called for a glass of gin—I served her with it—she drank it, and seated herself at the end of the counter, under the window—I was rinsing two glasses—I took one up and wiped it, and then turned my back on the prisoner—I then returned to take the other one, and lost sight of the prisoner and the glass—I pursued and overtook her in Church-street, and brought her back to the house—I sent for the policeman—he searched her, and took this glass out of her pocket, in my presence—it is one I had just been rinsing, and put down.

JOHN JULIAN (*police-sergeant R* 17.) I was sent for, and found this glass on the prisoner, in her pocket.

Prisoner's Defence. I went into the Coach and Horses for a glass of gin, having with me some soles in a basket—being in a great hurry I took up the glass and left the soles and basket there—I was not aware I had the glass till I was stopped.

JOHN JULIAN *re-examined.* The basket and soles were left when she was brought back—she had been drinking, but was not drunk.

GUILTY. Aged 56.—Confined Six Months.

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210. ABRAHAM PERRIN was indicted for stealing, on the 20th of November, 5lbs. weight of hay, value 3*d.*, the goods of Robert Couldery.

ALFRED COULDERY. My father's name is Robert, he is a butcher at Lewisham. He had a stack of hay there, part of it had been cut—we missed hay from time to time—some person stole it before and after it was *cut by* pulling it out of the stack—I watched about three weeks before I

took the prisoner—on the 20th of November between five and six o'clock I concealed myself behind a fence of Mr. Robins's—the stack stood in a stack-yard, which is part of a field—I saw the prisoner come and begin to pull the hay from the stack—I watched him a few minutes, and then I pursued him—it turned out to be the prisoner—I charged him with stealing hay—he said he had done nothing—I took him back to the stack and found 5lbs. of hay had been pulled out—I tried to get to him while he was doing it, but he saw me and ran away—I had walked round the stack when I began to watch, and none was pulled out—there was no sack there then—I found one afterwards—I brought the prisoner back—he lives about fifty yards from the stack he is a dustman and donkey driver.

Edward Pye. On the 25th of November master brought some hay and gave it to me—I put it on the back board of the shop—it was my master's.

John Barham. I am a constable. I took the prisoner into custody—I found some more hay in the donkey's *crib*, in the prisoner's house.

Prisoner's Defence. I was sitting in doors and heard somebody come into the yard with my donkey—I went to look, and I understood he had got into the field—I went round towards the stack, and some one ran after me—I ran away, knowing I had no business there—I ran over the bridge—some man stopped me—I never pulled the stack at all—he went to the stack and gathered up some loose hay which was lying about, and then they got over to look for a sack, which they could not find, they locked me up an hour and dragged me about—they found a sack, but it was not mine.

(The prisoner received a good character.)

GUILTY. Aged 23.—*Recommended to mercy by the Jury and Prosecutor.*
Confined Six Weeks.

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211. BENJAMIN CLEMENTS was indicted for stealing, on the 26th of October, 1 ring, value 5*s.*, the goods of James Whitten, from his person.

(The prosecutor being called, did not appear.) NOT GUILTY.

SURREY CASES.

Before Mr. Recorder.

212. WILLIAM RILEY was indicted for stealing, on the 14th of November, 1 gimlet, value 6*d.*; 1 chisel, value 2*d.*; 1 pair of pincers, value 6*d.*; and 1 modeller's tool, value 1*s.*; the goods of Constantine Sullivan, his master.

Constantine Sullivan. I live at No. 66, Brunswick-street, Blackfriars-road, and manufacture composition chimney-pots. I engaged the prisoner to work for me, at 5*s.* the first three weeks, and then to advance his wages—he came to me on Monday the 13th, and on Tuesday evening I missed some tools—I turned him away, and found my gimlet in his pocket—I missed other tools—there was sand in the place he worked, and I found some iron bolts in the sand, and the other tools buried in different places about the premises—I had left them all in a bag in the factory—I afterwards found these pincers and chisels at a marine-store shop, kept by White.

[illegible]. I had nothing to eat, and found the gimlet in the shed, and [illegible]y a bit of bread. *Witness.* I knew his mother to be in poor

circumstances, and I asked him if he had had any thing to eat on Monday night—he said he had not, and I took him to a potatoe warehouse, and got him 6lbs. of potatoes.

GEORGE WHITE. I keep a marine-store shop, in Raycroft-street, Borough. The prisoner came to my shop, and asked if I bought old iron—I said I did—he put into my scale a pair of pincers, an old chisel, and other things—I asked his place of abode, which he gave me readily—I gave him 4*d.* for them—on the following Saturday a policeman came and asked if I had bought the pincers and chisel—I said I was not aware of it, but they could look among my old iron, and they found it—the pincers were fit for nothing but old iron.

Prisoner. He only gave me 1¼*d.* for them. *Witness.* I gave him 4*d.* for them—he said he was sent by his father with the old iron—they were of no service, or I should have refused them—one lip of the pincers lapped over the other.

PETER LOGAN (*police-constable N* 12.) I went to White's with the prosecutor—we looked over the old iron, and found these articles.

CONSTANTINE SULLIVAN *re-examined.* I have had the pincers eight years—they are as useful to me as new ones—this one tool is worth 1*s.*

Prisoner's Defence. I have a poor mother, and she cannot do any thing for me—I took them to get a bit of bread—the man only gave me 1¼*d.* for them—master found a farthing in my pocket, and my brother saw me eating the bread, which I bought with the penny.

GUILTY. Aged 21.—Confined Twelve Months.

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213. SAMUEL NEWMAN was indicted for stealing, on the 28th of September, 600 bricks, value 10*s.*, the goods of Thomas Grissell and another, his masters.

MR. PAYNE *conducted the Prosecution.*

JAMES STEPHENSON. I am a labourer, in the employ of Messrs. Grissell and Peto, who are building a house at the corner of Nag's Head-court, Gracechurch-street. The prisoner was in their employ better than two years—it was his duty to bring new bricks in a cart to the building—I was present when they came to Mr. Christie's, in Gracechurch-street—he brought them from master's premises, in York-road—I unloaded them at Gracechurch-street, and a load of old bricks was put into the cart—no directions were given to him about them—they were to be taken back to the yard—the clerk of the works had ordered them to be sent to the yard in York-road, but no order was given at that particular time—the prisoner drove the cart away, with them in it.

Cross-examined by MR. PHILLIPS. *Q.* Did not the bricklayer tell the prisoner he was to take a load of these old ones back to the yard? *A.* He told him to take them away, and he did—that was on Saturday, the 28th—I had known the prisoner in the employ above two years—he bore a very respectable character—he was an honest, industrious man, and was spoken very highly of.

GEORGE THOMPSON. My father is a carpenter and builder. I remember seeing the prisoner, in Swan-street, Newington, on Saturday the 28th—we are building a place there—a man called me over to the prisoner, who was there with the cart and bricks—he offered them to me for 6*s.* and a pot of beer—I agreed to buy them, and paid him the money, and he shot them there—Davis had fetched me to him, to buy

them of him—my father was angry when he heard of it, and I told the prosecutor.

(The prisoner received a good character.)

GUILTY. Aged 38.—*Recommended to mercy.*—Confined One Month.

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214. WILLIAM LODGE was indicted for stealing, on the 27th of October, 2 heifers, price 19*l.*, the property of John Wilks.

MR. PAYNE *conducted the Prosecution.*

GEORGE JOHNCOCK. I am bailiff to Mr. John Wilks, who lives at Feversham. On the 26th of October I saw the heifers in the marshes at Feversham, about two o'clock in the afternoon—there are three gates to the marshes—they were fastened—I missed the heifers about eight o'clock on Friday morning the 27th, and saw them, on the Wednesday following, in possession of the policeman—they were master's heifers, and worth about 18*l.*—the lock of the gate was broken—I traced them about a mile, and then lost the track—I knew the prisoner before—he lived with Mr. Wilks's father once for nearly twelve months, I believe, six or seven years ago.

JAMES WARD (*police-constable.*) On Friday morning, the 27th of October, I was in the Old Kent-road, and saw two heifers, and the prisoner driving them along, between eleven and twelve o'clock—I followed him to the end of the Kent-road, and stopped him, I asked him where he was driving the two beasts to?—he said he was going to drive them into Smithfield I said, "Why, you are very late"—he said, "Yes, I have been laid up for two hours at Deptford"—that he had brought them from a place in Sittingbourne, Kent, and started at two o'clock in the morning—I said, "What do you want for them?" -he said 9*l.*, but he would take less—I asked a butcher, who was passing, what they were worth—he said, "16*l.* or 19*l.*"—I took him to the station-house, and took the heifers to the Swan, Old Kent-road—I was present when the bailiff saw them, and claimed them—I found a halter on him with a noose to it.

ARCHIBALD KERR. I am a policeman. I took the heifers to the Swan, and afterwards showed them to John Wilks—they are the same.

GEORGE JOHNCOCK *re-examined.* I was present when the Magistrate signed a paper—I did not see what he wrote.

THOMAS PALMER. I am a butcher in the Old Kent-road. On Friday morning I saw the prisoner with the heifers—Ward took him into custody.

Prisoner's Defence Distress brought me down to that part of the country—I left London at half-past one o'clock in the morning, and went to Maidstone, expecting 5*l*, which a man owed me, but was disappointed—I then went to this place where my father lives—I had no idea of doing this—how I came to take them I cannot say—my heart failed me, though I was offered money for them twice, I could not sell them, I have a wife and small family.

(The prisoner received a good character.)

GUILTY. Aged 26.—*Recommended to mercy by the Prosecutor.*

Confined Six Months.

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215. JOHN CHADWICK and CHARLES FUSSELL were indicted for stealing, on the 8th of November, one truck, value 3*l.*, the goods of Theodore Windley.

WINDLEY. I live at No. 6, St. Mark's-row, Camberwell,

and am a broker. In consequence of a message, I went to Union-hall, and saw the prisoner Chadwick in the lock-up place, I asked him where my truck was, which I had lost—he then asked me not to come against him—I told him to let me know where my truck was, and I would go and fetch it—I found the truck at Mr. White's, a cooper, at Westminster—it is worth 3*l.*—my wife is not here, being in her confinement.

Chadwick. I sent to tell him where the truck was—he said if I did, he would not prosecute me.

FRANCIS WHITE. The prisoners came to me on the 8th of November, they both spoke to me, and asked me if I wanted to purchase a truck—I said they might bring it, and I would look at it—they brought it, and asked one guinea for it—I bid them 15*s.*, having my doubt whether it was come honestly by—they asked me to take it, and asked me for something to drink—I gave them 1*s.*—they left it in my possession—they gave me their address, No. 2, Ann's-alley, Bankside—I gave information within an hour to the inspector—they both told me it was their property.

Chadwick. I was not with my fellow prisoner when he first went. *Witness.* No; but he was with him when they brought it, and both represented it as their joint-property—the prosecutor afterwards saw it, and claimed it.

FRANCIS COOKE (*police-constable B* 37.) In the afternoon I went to Bankside to look for Ann's-alley—I found a Rose-alley—Mr. Windley afterwards accompanied me to No. 2 there—I did not find the prisoners then—I waited about the premises, and saw Fussell at the door, and apprehended him, as Windley pointed him out—before I said any thing to him he said, "The other is gone round the corner to Blackfriars-bridge, and is dressed in a dirty jacket"— I got another constable, went in that direction, and found Chadwick, and took him, in the direction Fussell pointed out.

THEODORE WINDLEY *re-examined.* I am satisfied the truck is mine.

CHADWICK—GUILTY. Aged 24. } Confined Six Months.
FUSSELL—GUILTY. Aged 17. }

Before Mr. Sergeant Arabin.

216. BENJAMIN ROBINSON was indicted for stealing, on the 6th of November, 2 coats, value 6*l.*, the goods of Samuel Michael.

SAMUEL MICHAEL. I live in Upper Stamford-street. The prisoner's mother was in my service and he was in the habit of coming to my house—about the 5th or 6th of November he came there, and on the Saturday following I missed two coats—I told his mother of my loss, and went to the prisoner's lodging, in Waterloo-road—I do not know how he got his living—I have known him about five months—I told him I had lost two coats—he said he knew nothing about them—I went again, a few days afterwards, and then he said he knew where they were—I went with him to a pawnbroker's in Whitechapel, and found one; but I had told him, if he told me where they were, I would not prosecute, and would be as lenient to him as I could—he told me one was in pawn in Whitechapel-road, and the other he had sold at a clothes-shop in Holywell-street—I did not find it there.

THOMAS MOTHERSELL. I am a policeman. I took the prisoner into custody—he said he knew where the coats were, and would point out the places—that one was pawned in Whitechapel-road, and the other sold in Holywell-street—he said he had taken them off the banisters.

JOHN ROAR. I am a pawnbroker, and live in Whitechapel. I produce a coat, which was pawned by the prisoner.

Prisoner's Defence. The prosecutor gave me six coats to brush—about a fortnight after, one was missed—I owned to that, as it was in pawn—I know nothing of the other; but at last he kept pressing me to tell where it was, and said he would buy me a pair of shoes, I said I knew where it was, and that it was in Holywell-street, but I did not know—it was a falsehood.

GUILTY. Aged 18.—Confined Three Months.

Before Mr. Justice Park.

217. THOMAS FLYNN and SAMUEL TAYLOR were indicted for burglariously breaking and entering the dwelling-house of John Taylor, at Lambeth, about the hour of two in the night of the 17th of November, with intent to steal, and stealing therein, 1 watch, value 3*l.*; 1 seal, value 15*s.*; 1 key, value 10*s.*; 2 spoons, value 1*l.*; 2 pairs of boots, value 2*l.*; 14 knives, value 10*s.*; and 14 forks, value 5*s.*; the goods of the said John Taylor; 1 pair of boots, value 18*s.*, the goods of John Taylor the younger; 4 gowns, value 10*s.*; 2 shawls, value 14*s.*; 1 cloak, value 1*l.*; 1 petticoat, value 2*s.*; and 1 shift, value 3*s.*; the goods of Margaret Maher; 3 gowns, value 1*l.* 10*s.*; 2 shawls, value 6*s.*; 2 petticoats, value 3*s.*; 4 aprons, value 2*s.*; and 2 pairs of stockings, value 2*s.*; the goods of Emma Davey.

JOHN TAYLOR, JUN. I live with my father, in Upper Stamford-street, Blackfriars-road, in the parish of Lambeth. On Saturday, the 18th of November, I had gone to bed about eleven o'clock—I believe the servants were the last up—my father was gone to bed—I got up about eight o'clock in the morning—I did not hear any thing in the night myself—when I came down I went into the kitchen, as the servant called us—my father, myself, and two servants, went down into the kitchen, and found every thing strewed about the floor—I saw the servant's trunks open—I missed a pair of my own boots, which had been in the front kitchen the night before—I missed my father's silver watch, which I had seen in a cupboard in the back parlour the night before, with a seal and key; also two table spoons, four carving knives, and a bundle of other knives belonging to my father—there is an empty house within two doors of ours—we found soot about the chimney, and marks of feet—the persons had evidently come down the chimney, and gone out by opening a cross door and a back door leading into the yard.

MARGARET MAHER. I am servant to Mr. Taylor. My fellow-servant and I went to bed last together—the other servant fastened the two doors, which were found open—I saw them fast—I came down about seven o'clock in the morning—my clothes were in the front kitchen—I found the kitchen all strewed over with soot, which was not there when I went to bed—I missed four gowns, a cloak, two shawls, a petticoat, and two shifts.

EMMA DAVEY. I am servant to Mr. Taylor. I fastened the cross doors when I went to bed—I came down after Maher in the morning, and found the kitchen as she describes—I lost three gowns and other articles.

GEORGE JOSEPH FORD. I live in Field-lane, Holborn. On Saturday morning, the 18th of November, I saw the prisoners, about half-past ten o'clock, passing my door—Flynn had a bag over his shoulder, apparently half full of soot, but I thought it appeared too light for soot, and watched [illegible] I saw them go into a shop in Field-lane, some distance from mine—[illegible] stop there a moment, but came out with the bag—I watched

Taylor into another shop, where he purchased a cap—he then called Flynn, and he then went down the passage, and showed some women's clothes to a female belonging to the shop—I went across the road, and told a policeman to lay hold of those two *clergymen*, (meaning sweeps,) and Moss took them.

Flynn. *Q.* Did I offer the things for sale? *A.* Yes, to a female—it was not in my house, but I saw you both go down the passage, and pull out a large parcel from the bag.

Taylor. *Q.* Where did you see me first? *A.* In Field-lane—you were both together—you passed my door twice—I saw you go into the shop, and then come up the lane together—I saw you come out with the cap in your hand, and you had an old cap on when you went in.

ROBERT MOSS (*City police constable.*) Ford told me to take the prisoners into custody—they were both together—Flynn had a soot-bag across his shoulders, containing the property now produced—the bag was very sooty, but had no soot in it.

Taylor. How can you say you saw us both together, when the watch-house door was shut before you brought me in? *Witness.* They were together.

(*Property produced and sworn to.*)

Flynn's Defence. I never stole the things—I picked them up as they were—as to Taylor, he is a stranger to me entirely.

Taylor's Defence. I was coming to Farringdon-street this morning, and met this young fellow near Field-lane—he spoke to me, and we accompanied one another to the top of the lane—I came back, and bought this cap—he had gone his way, and I was going mine—I did not know where he was gone—Ford came and caught hold of me, and said "I want you"—I asked him what for; and when he took me there, this young man sat there, and they accused me of being with him—they found 9*s.* on me—I was going to see a friend who was ill.

FLYNN—GUILTY. Aged 23.
TAYLOR—GUILTY. Aged 19. } Transported for Life.

Before Lord Chief Justice Denman.

218. WILLIAM RICE, *alias Tidy*, was indicted for stealing, on the 10th of November, 1 gelding, price 5*l.*, the property of Thomas Fieldwick.

THOMAS FIELDWICK. I am a butcher and farmer, and live at Worth, in Sussex. On the 9th or 10th of November, I had a brown pony-gelding down in a field—I had seen it there about six o'clock the evening before—I missed it next morning, about seven o'clock—it was in an enclosed field which has a gate to it—the prisoner lived about two hundred yards from me—the field is about a mile from my house—I found the horse in the hands of Pring, the constable of Battersea, about the 15th of November—I am certain it was mine.

HENRY HOLMAN. I am in the prosecutor's service. I saw the horse on Thursday, about six o'clock in the evening—I missed it next morning at seven o'clock—I have seen it since in Pring's possession.

EDWARD HUSSEY. My father is a horse-dealer, and lives in Battersea-fields. On the 10th of November I saw the prisoner with a horse at my father's house—he offered it to me for sale, and asked 30*s.* for it, which was too little, I stopped him and gave him into custody, and gave the pony to the officer.

JOHN PRING. I am an officer. Hussey gave me the pony on Friday, the 10th of November—Fieldwick and his boy saw it on the 14th.

GUILTY. Aged 26.

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219. WILLIAM RICE, *alias Tidy*, was *again* indicted for stealing, on the 28th of October, 1 mare, price 16*l.*, the property of James Batchelor.

JAMES BATCHELOR. I am a farmer, and live at Worth, in Sussex. On Saturday morning, the 27th of October, about half-past nine o'clock, I turned my mare out into the field—next morning, between eight and nine o'clock, I found the gate open, and tracked the mare out into the road—I found her afterwards in Pring's custody on the 14th of November—it cost 16*l.*

WILLIAM LOW. I live at Kennington Common. On the 28th of October I saw a mare in possession of the prisoner, who I never saw before—he asked if I knew the name of Hussey—I went with him to Hussey—I am sure the prisoner is the man—I afterwards saw the same horse in Pring's possession.

WILLIAM CARNOCK. On the 1st of November I bought a mare of Hussey, senior, for 8*l.* 10*s.*—Batchelor claimed her on the 14th of November.

JOHN PRING. I am an officer. I went to Carnock's house, and found a brown mare, which the prosecutor claimed—Hussey, senior, is very ill, and unable to attend.

MR. FIELDWICK. The prisoner lives at Worth, about two miles from Batchelor.

GUILTY.—Transported for Fifteen Years.

Before Mr. Justice Park.

220. THOMAS BULLOCK was indicted for stealing, on the 23rd of October, 1 gelding, price 15*l.*, 1 cabriolet, value 21*l.*, and 1 set of harness, value 4*l.*; the goods of James Sawyer.

THOMAS HARRISON. I live in Fore-street, Cripplegate, and am a *cab*-man, in the employ of James Sawyer—I drive No. 868, a patent *cab*. On Monday evening, the 23rd of October, about twenty minutes after six o'clock, I was going over Blackfriar's-bridge, towards the City, empty—I heard a person call a *cab*, and stopped—I turned round, and saw the prisoner running towards me—he asked me if I wanted a job—I said "Yes"—(he was a stranger to me)—he said he would give me one—he wanted to get on the top, and sit by the side of me—I told him to get inside—he said he would sit on the top, and tell me where to go to—he did so—we went to Upper Ground-street, on the Surrey side of the water, to a public-house called the Old Barge-house—as we went along, he asked me if I would give him half a pint of beer—I said "Yes"—we went on to the Barge-house—it is a regular rule, when fetched by a porter, or any body, to treat them—we went to the Barge-house, which lays back—I left the *cab* at the corner of the street—he showed me a house opposite, and said I was to take the fare up there—we had a pint of half-and-half—he then asked if I could carry a box on the top of my *cab*—I told him I could—he went out and came back again, and said it would be a quarter of an hour before the job was ready to go—he said the name was [illegible], or something—he then called for a pint of half-and-half, and had a pipe of tobacco, and went into the tap-room to light

it—I stopped ther[illegible]
and found it was [illegible]
but could see no[illegible]
minutes, but the pr[illegible]
I believe, on Satur[illegible]
morning before I saw [illegible]
horse also—I did [illegible]
taken, and I saw [illegible]
cushions.

Cross-examined. [illegible]
livery yard? *A.* I [illegible]
two persons to sit o[illegible]

JOHN BURROWS R[illegible]
I saw the prisoner [illegible]
with Harrison—they [illegible]
there above five min[illegible]
came back again—h[illegible]
house—he told him to [illegible]
but he did not come b[illegible]
of his loss.

Cross-examined. Q. [illegible]
of half-and-half—the pr[illegible]
looking about him.

JAMES SAWYER. H[illegible]
ness, are my property.

JOHN SMALLBONE. [illegible]
stable, opposite St. Pet[illegible]
Monday night, the 23rd [illegible]
—he rang the bell, and [illegible]
would give him leave to [illegible]
and harness with him. I [illegible]
leave, which I did, I met [illegible]
him before—master came [illegible]
me, outside the gate, to [illegible]
cushions away—he said I [illegible]
take ten for him—master [illegible]
the prisoner went away [illegible]
same *cab* at Queen's-squ[illegible]

Cross-examined. Q. [illegible]
Quite sure—there was [illegible]
not—he was going away [illegible]
give him them, and he [illegible]

JAMES NEVES. I live [illegible]
the 23rd of October, abo[illegible]
horse straying in my mas[illegible]
into our stable, and gave [illegible]
wards delivered to Mr. Sa[illegible]

JOHN HEATHERS. I [illegible]
Mr [illegible] Westminster [illegible]
[illegible] shop, and [illegible]
[illegible]

unfortunately been obliged to part with his *cab*, he had sold his horse the Friday previous, and had part of the harness to dispose of—he said he had taken some premises very near to me to go into the beer trade—I knew the premises were to let—he said he would sell the harness to me a bargain—I said I did not feel disposed to buy it—he said would I look at it—I said he might do as he pleased—in about ten minutes or a quarter of an hour he brought it—I examined it, and found no collar, no bearing rein, nor breeching—he asked a sovereign for it—I said I had no use for it, and if I bought it I should only lay it by—I eventually bought it of him for 10*s*.—in the course of the day my business led me past the premises he had named, and I found them occupied by a different business—I felt uneasy, and the following morning went and gave information at the station-house—the inspector sent a man down to examine the harness—in the course of the evening Sawyer came and identified it, and I gave it up.

Cross-examined. *Q.* What is it worth? *A.* I consider, under existing circumstances, that I gave the value of it, but the owner values it at considerably more—I went to No. 51, Hinton-street, in consequence of information which was given to the prosecutor—it is not more than ten minutes' walk from my house—we found the prisoner there in bed about ten o'clock.

George S———. I am a policeman. I went to the house in Hinton-street, and took the prisoner in bed—I told him I took him for stealing a horse and *cab*—he made no reply—I found the cushions between the bed and sacking on which he was lying—there was a female in bed with him—I believe it was his wife.

— Sawyer *re-examined.* These are my cushions, belonging to the *cab*—I saw the horse at Queen-square—it was mine—I also saw the *cab* and harness, and am certain they all belong to me.

GUILTY. Aged 35.—Transported for Fifteen Years.

Before Lord Chief Justice Denman.

221. JAMES FINLYSON was indicted for stealing, on the 14th of November, 14 sovereigns, and 6 half-sovereigns; the monies of John Smith, in a vessel, on the navigable river Thames.

Mr. Bodkin *conducted the Prosecution.*

Joseph Lewis. I am a surveyor of the Thames-police. On the 14th of November I was on duty about half-past two o'clock in the morning, and noticed a boat sailing through the centre arch of London-bridge—I pursued it, and saw the prisoner get out of it at Thorp's-wharf, Southwark—he *shoved* the boat adrift, and got behind some timber—he put up his hand, and threw what I supposed to be a lot of sovereigns out of his hand—they jinked against the timber which he got behind—there appeared a great many more than was found—Godfrey was with me—I secured him, and about two yards from him I found two sovereigns and a Victoria medal—Godfrey brought me a half-sovereign, and King a sovereign—the place was very muddy, and some of them might be lost—I searched the prisoner, and on his person found another Victoria medal, and a box of Lucifer matches—I took him on board my boat—he said he belonged to the *Christina*, which I found was lying in the same tier as the *Fox Maule*—you could step from one vessel to the other—I went on board that vessel, and found the drawers in the cabin broken open—I looked into the grate of the [illegible] and found two Lucifer matches of the same description as those [illegible] and which had been burnt—I noticed marks of blood on a

you said? *A.* There were some parts he did not take down, because the witness Wood had stated it.

JOSEPH GALE (*police-sergeant V* 16.) I was called to go with the wagon, and found it in White Hart-lane—Blake was with it—I followed it to Brentford—nothing was taken from it till it got there—there were 52 trusses in it then—I counted them five times.

Penstone received a good character.

BLAKE—GUILTY. Aged 46.—Confined Three Months.
PENSTONE—GUILTY. Aged 44.—*Both recommended to mercy.*
Confined Six Months.

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225. CHARLES WRIGHT was indicted for stealing on the 24th of November, 1 pair of shoes, value 2*s.* 6*d.*, the goods of John Williams, in a certain vessel on the navigable river Thames.

JOHN WILLIAMS. I belong to the schooner *Thetis*, which was lying in Middle-tier. On the 24th of November I lost a pair of shoes—I left them on the bitts (the timber that holds the windlass on deck)—I never saw the prisoner before—he was mate of the *Endeavour*—I saw him on our deck between three and four o'clock that afternoon—my shoes were there then, and I missed them afterwards—these are mine.

WILLIAM HENDERSON. In consequence of information, I went after the prisoner on board his vessel—I searched his bed cabin, and found these shoes concealed under the bed on Saturday, the day after the loss.

Prisoner. I hope you will have mercy on me—I have four children, and have had no wife the last five years—I never was in a Court before——I have been short of money—I have not had sufficient money to get food.

GUILTY.—Confined Three Months.

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226. JOHN ROSEDALE and RICHARD HARVEY were indicted for feloniously receiving, on the 24th of October, of an evil-disposed person, 1 chaise, value 30*l.*; 1 gelding, price 15*l.*; and one set of harness, value 5*l.*; the goods and property of Frederick George Aubin; well knowing them to have been stolen; against the Statute, &c.

MR. PHILLIPS *conducted the Prosecution.*

FREDERICK GEORGE AUBIN. I am master of the Infant Poor Establishment at Norwood. On the 24th of October last I received some information from a groom of mine, named Offield, respecting my four-wheeled chaise, horse, and harness—he had left me five weeks previous, but he was taken up on a charge of stealing these—I went to a public-house, in consequence of receiving a letter—after waiting there a little time I saw the prisoner Harvey—we began to converse together—he said "I am come here to meet a person"—I said "So am I"—he said "I am come to see a coach-painter"—I said "I came about a chaise"—he said "I have sent a letter to a person at Norwood," and we stepped into a private room—he said he would take me where my chaise was; that it was brought by a man of the name of Offield—the letter was not produced, but he said he had sent a letter—we went to a green-yard near Whitechapel, and there I found the chaise—I found the horse at the green-yard adjoining the station—I found the collar and harness in pledge—I afterwards saw the saddle and breeching at Mr. Higginbotham's—I had these things safe on the 23rd—we

Before Mr. Common Sergeant.

222. JAMES WORBEY and JAMES PENNINGTON were indicted for stealing, on the 31st of October, 2 hop pockets, value 2*s.*; and 300lbs. weight of hops, value 12*l.*; the goods of John Humphery, Esq., the master of James Worbey.

MR. PHILLIPS *conducted the Prosecution.*

RICHARD CLOSE. On Tuesday morning, the 31st of October, about seven o'clock, I was under an arch of the Greenwich Railway—it was raining—I saw Worbey there with Mr. Humphery's wagon—I knew him before by sight—I believe he had lived with Mr. Golding, but he came into Mr. Humphery's service—he said, "I suppose you are, like me, standing out of the weather?" I said, "Yes"—Pennington then came up to speak to him—I did not hear what they said, as they spoke low—Pennington asked me if I was hired—I said, "No"—he then said, "How much will you charge to take two pockets of hops by the King's Bench?"—I said, 2*s.*—Worbey said, "We will give it to him"—Pennington then took hold of my horse's head to shove it off—I asked where he was going to load them—he said, "Off the wagon"—I said if he was going to load them off the wagon he might take them himself, I would have nothing to do with it—I knew it was Mr. Humphery's wagon.

CHARLES BROOKS. I am foreman at Hayes's wharf, in the employ of Mr. Alderman John Humphery. On Monday night, I helped to load 113 pockets of hops marked "Isaac Simmonds"—I saw part of them put on—they were to be taken to W. Noakes and Co. Weston-street—Worbey was to take them—we missed three of those that were marked on the following day.

Cross-examined by MR. PAYNE. *Q.* Are you quite sure it was three you missed of that mark? *A.* Yes—we found one the following day in the warehouse—there are 24 or 25 people about the premises, more or less.

JOHN BEAMISH. I loaded the wagon by Brooks's directions—I put on fifty-one pockets to go to Mr. Noakes—we missed three the next day, and found one—two are still missing.

Cross-examined *Q.* How long after you missed the three did you find the one? *A.* I cannot recollect, it was in the course of a few days after.

JOHN HUTCHINS. On Tuesday or Wednesday morning the prisoner Worbey came to my gate with a wagon—he said he had brought me two pockets of hops—I asked him where from—he said that he brought them from a man whose name I do not recollect—I told him I did not recognise such a name—I had given no order for hops, and I refused to take them—it was raining a little—it was about a quarter or 20 minutes to eight o'clock.

NOT GUILTY.

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223. WILLIAM CROSBY was indicted for stealing on the 10th of June, 18 yards of carpet, value 3*l.* 3*s.*; and 1 hearth-rug, value 21*s.*; the goods of William Kingston and another, his masters.

WILLIAM KINGSTON. I am a linen-draper in partnership with Joseph Harvey, in Westminster-road. The prisoner was in our employ between seven and eight years—in consequence of missing something, I went to his lodging, 33, Isabella-street, and saw his wife—I saw a Brussels carpet on the floor, the pattern of which was recognised—we believed it to be [illegible] came back, had him called up stairs, and questioned him about

made on the first day—Harvey was not in custody on the first day—the examinations of both were taken on the 4th of November—Rosedale's statement has not a date to it, but it was prior to that, because I know that Mr. Wedgewood took that before I took the other—I cannot say when he took it.

(*The statements were read as follows.*)

"JOHN ROSEDALE, on his first examination, says: On Monday, about two o'clock, I met Offield at the Dolphin, Redcross-street—he told me he was servant to Mr. Aubin, of Norwood—he had a phaeton and harness he wished me to touch up and dispose of, and which he would bring in the evening to a public-house near the Town-hall—I had no place to put it in, but I was to find one—that evening, at ten o'clock, I met him in the Borough—he brought the phaeton to the door of a public-house in Fishmonger-alley—he, and Harvey, and I then took it to Church-lane, Whitechapel, to my brother-in-law, who would not get up—I slept in the phaeton and Offield took away the horse, and promised to be back with me by six o'clock—Harvey came, and waited with me till about seven o'clock—I took the phaeton to the Green-yard, at the back of the church, and took the harness, all but the collar and hames, and traces, to a man, and tried whether I could sell it—he would not buy it—I then took them to Duckrell, and he was not at home—I waited some time for him, and as he did not come, I asked the young man to pledge them for me—he pledged them at Higginbotham's, and brought me 10*s.* lent on them."

MR. PHILLIPS *to* NICHOLAS EDWIN. *Q.* Did Harvey make any statement? *A.* Yes, I took it down and read it over to him, and told him to listen to it, and hear whether I had taken it down correct—he made no objection, but signed it.

"RICHARD HARVEY says: I met Rosedale, on Monday afternoon, in Bermondsey-street—he said he had got a phaeton to do up, paint, or something—he was to have 50*s.* for doing it, and if I would help him I should have part of the money—this was about four o'clock—he said a man named Offield, who represented himself as Mr. Aubin's servant, was going to bring it to the Borough at ten o'clock—he said he could not bring it before, because the servant said his master was on a journey, and would not be home before late—I and Rosedale were near the Town-hall, when a man came with a horse and phaeton—I fetched a pot of beer out of a public house, which we drank among us, and then I and Rosedale got into the phaeton, and the man drove to Whitechapel, by Rosedale's direction, to Rosedale's brother-in-law—we knocked, but could not make any one hear—the man took the horse away, and said he would be with us at six o'clock next morning—I was there at six o'clock, but the man did not come—I waited till seven o'clock, and then we took the phaeton to a Green-yard—Rosedale took part of the harness—I took the collar and hames, and was taking them home, when I heard a black horse had been found in Tooley-street—I was in fear, and put them down in a corner near against the London and Greenwich Railway—I afterwards examined the papers, but could not see any reward offered, or any thing about it—Rosedale and me agreed to write to Mr. Aubin, and I wrote the letter produced—Rosedale was to have been with me to meet Mr. Aubin in the afternoon, but he did not come—I have seen the man named Offield, now present, who I have heard Mr. Aubin say was his servant—I do not think that is the man who brought us the phaeton.

THOMAS DEDMAN. I am a coal-heaver, and work by the water-side. I know where the London and Greenwich Rail-road is—on the morning of the 25th of October I was at the Joiners' Arms, and saw something look black—I took it up—it was a collar, hames, and traces—I gave them to Mason, the inspector.

—— MASON. I am a police-inspector. I received from the last witness the articles he has mentioned, and I had a horse—I showed them all to the prosecutor.

FREDERICK GEORGE AUBIN *re-examined*. I have looked at all the things—they are all mine—they were perfectly safe on the night of the 23rd, and we missed them on the 24th—I had Offield apprehended, but the Magistrate did not think that the evidence was conclusive, and discharged him.

Rosedale's Defence. I know nothing about it. The young man brought it to me, whom I considered was a servant—I slept in the chaise to take care of it, and the next day took it to the Green-yard—the harness was to be disposed of—I took that with the intention of its stopping at Mr. Duckrell's, to remain there till the man brought the rest, and being short of money I pledged it, thinking I could redeem it again—I knew at the time that if I could get a customer I could redeem it.

Harvey's Defence. On the 23rd I was from home. When I came home my landlady said a man had been there for me, to do something to a chaise—I went out and met Rosedale—he said Mr. Aubin's servant had been to him with a chaise to paint, for 50*s*., if I would help him I should have part of the money—we then heard of a job at the rail-road, and we went there, but the job was not to be done—this man said we were to meet the man near the Town-hall—we went there, and the man came with a phaeton—it was a very wet night—the man was in a coloured coat, and had a handkerchief round his neck—we got in the phaeton and drove to Rosedale's brother-in-law in Whitechapel, and knocked there, but could not make anybody hear—Rosedale said he would sleep in it—the man took the horse away, and said he would meet us the next morning at six o'clock—we went and waited till seven o'clock, and he did not come, and then I met Rosedale, who said he had pawned his part of the harness—I said I had left mine through fear—I looked in the paper, but saw no advertisements nor bills about it—then we agreed together to write a letter to Mr. Aubin, which I did, and I do not see any cunning about that—I never saw the man that brought it in my life before.

NOT GUILTY.

(*See page* 180.)

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227. EDWARD THOMAS was indicted for stealing, on the 18th of May, 1 chariot, value 100*l*., the goods of William Thomas Lear Cholwick, his master.

MR. CLARKSON *conducted the Prosecution*.

WILLIAM THOMAS LEAR CHOLWICK. At present I am in the Queen's Bench. I am married—in January last I went with my lady to Brighton—the prisoner was in my service in January last as groom—I hired a chariot of Beaumont and Taylor, in Lower Brook-street, for the purpose of going there, at 6*l*. or six guineas a month—I had been there about a month before I was arrested—I was taken to Horsham, and then removed to the Queen's Bench—the prisoner still remained in my service—I went to Horsham, and from thence to town with the chariot and harness—I had hired the chariot for six months—I surrendered

on the 25th of February—I went to the coffee-house in Chancery-lane, and directed the prisoner to convey my wife to Grosvenor-street, and then return to me, which he did, and then I told him to put the chariot into some livery-stables for safe custody, and return again to me—he returned in about an hour—he continued in my service till May, when I discharged him—I did not make any inquiry where he had put the chariot, but I sent him twice to see whether it was clean and in proper order—he returned and said it was—I should think the last time was about five weeks previous to his leaving me—I did not know the place to which he had taken it—on the day of his leaving my service I asked him to give me the address of the livery-stable-keeper where the chariot was, that I might write to Messrs. Beaumont and Taylor, telling them where it was, that they might send for it, as I had no further use for it—the prisoner opened his pocket-book and wrote on a leaf of it, with his pencil, "Mr. Smith, livery-stable-keeper, Albany-street, New-road"—I had no reason to suppose that the chariot had been improperly dealt with—I never gave him any authority, directly or indirectly, to part with it, or pledge it for any sum whatever, I most solemnly swear—I owed the prisoner something under 7*l.*—the hiring of the chariot had not expired while I was in the Bench, and before he left me he brought the imperial cap-case and carriage-box belonging to the chariot it contained my clothes and my wife's, and I have them still—I discovered the chariot had been improperly disposed of soon after the 18th of May by answer to a letter, I directed my solicitor to write to Messrs. Beaumont and Taylor, and from the answer I learned that something was wrong.

Cross-examined by MR. PAYNE. *Q.* How long have you had the name of Cholwick? *A.* About two years—my name was Lear before—I acquired the name of Cholwick, becoming heir to a considerable landed estate—I had a licence from the king to change my name—I consider the value of the estate was 40,000*l.*—I am now in custody, and have been so since February last—I hired the chariot in January last for six months, and went to Brighton almost immediately after—I kept the chariot till May—I have paid Messrs. Beaumont and Taylor in part, I believe, 10*l.*—the prisoner attended on me at the Queen's Bench—he has pawned things for me, but not often—I did not owe him more than 7*l.*—he paid for post-horses to Horsham, but out of money I gave him—I cannot say exactly to what amount he has pledged for me, but to very few pounds—I have sent for a new coat from the tailor, and as soon as I got it I pledged it--that was after the prisoner left my service—I did not use the chariot after I came from Horsham—my wife did—I have some furniture in the Queen's Bench—there was none got rid of, I most solemnly swear—I did not authorise the prisoner to sell the chariot for the purpose of paying him money that I owed him—I never authorised him to sell a horse for me at Aldridge's—I sold a horse there belonging to another party—I had not hired it—I had taken it at a price if I liked it—it was Mr. Herring's horse—he is a coach-builder—he received the money for it—that was while I was at Brighton—I did not tell the prisoner to avoid Mr. Herring's door—I was not threatened by Mr. Herring—the prisoner took a horse to Mr. Herring's, and said he had the black horse—there was not 32*l.* due to the prisoner—I have sent the prisoner to pawn plate—I cannot tell to what amount—that was while I was in the Queen's Bench prison—the prisoner was detained till my wife was sent for—I should think it was 5*l.* or 6*l.*—it is utterly impossible for me to say how much in the whole he has pledged for me—it is under 20*l.*—I

will swear it is not considerably more—I live upon my own means in the prison—I do not recollect giving him a cheque to pay any thing at a lodging where my wife had lived, but it is very likely a friend raised a large sum for me, and I drew on him as I requested.

Mr. Clarkson. *Q.* What sum did he raise? *A.* 10,000*l.* and 15,000*l.*—I should think the value of the chariot was 200*l.*—I never heard of Mr. Smith, the livery-stable-keeper, till the prisoner told me he had taken the carriage there.

William Taylor. I am the surviving partner of the firm of Beaumont and Taylor, and live at No. 5, Lower Brook-street. On the 8th of January Mr. Cholwick hired a chariot for six months, at six guineas a month—I should say it was worth a hundred guineas when it went out, and after that time seventy guineas—13*l.* is nothing like the value of it—before the expiration of the time I received a letter from Mr. Cholwick's attorney—I went to see for Mr. Smith, a livery-stable-keeper, but could not find him.

Cross-examined. *Q.* You had not seen the chariot after you lent it? *A.* I had not—I am allowing for the ordinary wear and tear of a carriage—I made my inquiry about Mr. Smith in May or June—I put no value on it till I went to Union-hall—the lowest value of it now I should say is 70*l.* my opinion of the value of it has not been altered from any thing I have heard—I did not know Mr. Cholwick was in the Queen's Bench till I received the letter—I ascertained there was a Mr. Smith had lived in Munster-street, but he had been taken to Whitecross-street two or three months before last Christmas.

Mr. Clarkson. *Q.* You could not find Mr. Smith in Albany-street? *A.* No.

Emma Lear Cholwick. I accompanied my husband from Horsham to Chancery-lane—the prisoner accompanied me with the chariot to Grosvenor-street—after that I attended to my husband in the Queen's Bench—I used the carriage twice afterwards—and twice while I was there I heard him tell the prisoner to go and see if the carriage was in good repair—he returned and said it was very nicely taken care of—the carriage was not at all injured by the use of it.

Cross-examined. *Q.* How long before the prisoner left your service had you seen the carriage? *A.* The first time I used it was a week after I came from Horsham, and the next about two days after—I never saw it after—I should think the first time the prisoner told my husband it was in good order, was in about a month, and then again in about two months.

Henry Sudbury. I am a coach-builder, living in Great Windmill-street. I had seen the prisoner a twelvemonth before the transaction—I bought a chariot of him, and gave him 13*l.*—he gave me a receipt for the money—this is it (*read*)— "London, May 18, 1837.

"Received from Mr. Henry Sudbury, the sum of thirteen pounds for old chariot. "Edward Thomas."

"£13."

I think he was not in livery—he had a groom's coat on—I saw he was a groom—he had come to me about the latter end of April, and said he had a chariot to sell—I told him I was not in the way of buying those things, but I would go and look at it—he asked me 20*l.* for it—I went one afternoon to Mr. Davis's livery stables in Carey-street—I should say that [illegible] beginning of May—five or six days after he first came to me—[illegible] had been authorised by his master to sell this carriage—I had

no doubt that he was a servant—I did not go and inquire of the master whether that was true—I went and saw the carriage—I found it in an open yard, exposed for sale—he called on me some time after—I said I was not in the heavy way, it would not suit my purpose—he called on me some time after, and I told him I would go and look at it again, which I did, and in a few days after I told him I would not give 20*l.* for it, it was not worth my while—I offered him 13*l.*—he went away and came again some days after, and said I should have it—I found it had been looked at by several coach-brokers, and mine was the highest bidding that had been offered—he told me his master was in the Queen's Bench prison —I did not go to his master—I kept the carriage above a month, and then sold it to a Mr. Green, in Lisle-street, Leicester-square, after I had done some repairs, for 25*l.*—I never said it was 30*l.*—I saw Beaumont and Taylor's name on the blinds—I did not inquire of them.

Cross-examined. *Q.* Had you offered it to other persons? *A.* Yes, I went to Mr. Hasdall, a coach-broker, and told him I had bought an old chariot—he made me no offer—I was going to employ him to sell it—I think 25*l.* was the outside value to a coachmaker, but not to a gentleman.

MR. CLARKSON. *Q.* How much would it be worth to a gentleman? *A.* About 30*l.*—I should say it had been painted upwards of two years—it had no seat at all in front—it had a dickey behind, but not complete—the imperial was not there, nor the cap-case—it is not always customary to sell carriages with imperials and cap-cases—I had five or six of the first coachmakers to look at it—the highest did not raise it to 25*l.*—it had a false lining, a kind of glazed cotton—I do not know whether there was any silk hung underneath—it had plate glass—it was fitted with blue cloth, I think, with yellow lace—I think the fittings were brass, but it is five months ago—Mr. Green is now in Lisle-street—the carriage is not there—he has a father a coachmaker, at Antwerp—and it has gone to his father—I had the carriage about five weeks in my possession. NOT GUILTY.

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228. JOHN ROSEDALE and RICHARD HARVEY were *again* indicted for stealing, on the 21st of October, 1 chaise, value 18*l.*, the goods of William Reading. (*See page* 174.)

WILLIAM READING. I live at No. 9, Mortimer-street, Cavendish-square, and am a coachmaker. On the 21st of October I lost a gig—it was in the gateway, at the back gates at the back of the shop—I saw it safe at one o'clock in the day, and it was gone at two o'clock on Saturday —I found it at Higginbotham's, in the New Cut, on the following Wednesday—I do not know either of the prisoners.

THOMAS RICHARDSON. I am in the employ of Mr. Duckrell—he lives in Hatfield-place, Westminster-road. I saw Rosedale and Harvey talking to my master at the top of the shop, on Saturday evening, and the chaise then was standing at the edge of the path, but I did not see them go to it —this path is in the Westminster-road, opposite the Oxford Arms—I cannot exactly tell what o'clock it was—it was towards evening, just getting to dusk—it must have been betwen three and four o'clock in the afternoon—I made a deposition before the Magistrate—I did not see who brought the chaise—that I swear—I put my name to the deposition—it was not read over to me—I know what I stated—it was the same as I state to you—I cannot read—I know this mark—(*looking at his deposition.*)

Q. Did you not say this, "I am a smith, and live at No. 71, James-street, New Cut; I was working in Mr. Duckrell's shop on Saturday

evening, when the two prisoners, Rosedale and Harvey, came to the shop with the chaise?" *A.* No, I did not see it come—I did not say they brought it—I do not know who went away first—I lost them—they all went away together from the shop-door—I did not see the chaise go away from the shop-door, nor whether it remained—I did not know either of them before—I have been working in the same shop since, not with Mr. Duckrell, but for the man that hires the forge—Mr. Duckrell does not employ him—I live now at No. 71, James-street, New Cut—I am single.

Harvey. He said that Duckerell and Stanley left the shop first? *Witness.* No, they all left together.

Henry Brittain. I am a shopman to Mr. William Higginbotham, in the New Cut, Lambeth. On Saturday, the 21st of October, I saw Harvey and Stanley—between four and six o'clock, Stanley came into the shop first, and asked if Mr. Higginbotham would buy a chaise—at that time Duckrell was in the shop, but not Harvey—he came afterwards—I went and told Mr. Higginbotham that a person I knew very well was in the shop—I mentioned Stanley's name—he wanted to know if he would buy a chaise—he said he would—he came down, and Stanley spoke to him, and said it had been standing at his place three months, and then Stanley went away, and when he came back I do not know whether he brought the chaise—he came into the shop, and said the chaise was outside—I observed only Stanley there, and I went out, and looked at the chaise—I went up stairs, and told Mr. Higginbotham that they had brought the chaise—he came out and looked at it, and agreed with Harvey, who was then outside with the chaise—this was near upon five o'clock—Harvey wanted 4*l.* for the chaise—Mr. Higginbotham agreed to give 3*l.* for it, and 5*s.* to Stanley for recommending him—Stanley and Harvey came into the shop to receive the money—I gave Harvey a pen and some paper, and he wrote the receipt for the amount received for the chaise, and I gave Stanley the 5*s.*—this is the receipt—since then I have given up the chaise—I sold it for 3*l.* 10*s.* to Mr. Stevens, a neighbour opposite.

William Alderman (*police-constable L* 168.) I heard Thomas Richardson examined at the office—I saw him put his mark to this paper—it was read over to him first—I believe this to be a correct statement of what he said—I can swear that he said he saw the prisoners bring the chaise to the shop—I went to apprehend Harvey on Friday night the 27th—I told him I wanted him respecting a chaise that was sold to Mr. Higginbotham, in the New Cut—he said the chaise he had sold to Mr. Higginbotham was the property of his uncle—that was all he stated respecting the chaise—Rosedale surrendered on another case.

Harvey. *Q.* Did you take me, or did I come to you? *A.* You did not know who I was when you came to me—I think you said it was your uncle at Harrow.

Court. *Q.* Did you hear Richard Harvey make his statement? *A.* Yes; that is his signature—I saw him sign it—(*read*)—"Last Saturday week I met a man drawing the chaise up the hill leading to Smithfield—he said to me that he was tired—I asked if I should help him up the hill—he said he was tired of it, and wanted to sell it—I asked what he wanted for it—he said 3*l.*—I told him I would give him 2*l.* 15*s.*, which was all the money I had—he took my money, and went away—I then brought the chaise over to Rosedale, and asked him what he would paint and do it up for me for—he said 3*l.*—I told him I could not afford that—I wanted to place it somewhere—Rosedale had no room, so he went with

me over to Duckrell—Mr. Duckrell had not the money to purchase it—Stanley said he could find a customer he thought; and he and Duckrell went away, and returned, saying, they thought they had a customer; and we all went to Mr. Higginbotham, where I received 3*l.* for the chaise—we then went and had some half-and-half—a pot—I, Duckerell, Rosedale, and Stanley." "RICHARD HARVEY."

WILLIAM READING *re-examined.* The value of the chaise was 18*l.*, and since then it has sold for eighteen guineas.

HARVEY—GUILTY. Aged 28.—Transported for Seven Years.
ROSEDALE—NOT GUILTY.

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229. CHARLES DUCKRELL and JOHN STANLEY were indicted for feloniously receiving, on the 21st of October, 1 chaise, value 18*l.*, the goods of William Reading.

MR. PHILLIPS *conducted the Prosecution.*

WILLIAM READING. I am a coachmaker, and live at No. 9, Mortimer-street. I had a chaise safe on the 21st of October, at one o'clock—I missed it at two—I have since seen it—it is worth 18*l.*

HENRY BRITTAIN. I am shopman to Mr. Higginbotham. On the 21st of October the prisoner Stanley came with Duckrell to ask if I would buy a chaise—it was brought to the door—I gave 3*l.* for it, and 5*s.* to Stanley, who said it had been at his place three months—Duckrell was present, but made no remark—I afterwards sold it for 3*l.* 10*s.*

Stanley. Q. Did you hear me say it had been at my place for three months? *A.* Yes; Mr. Higginbotham and myself were standing at the door at the time—the Magistrate did not think proper that Mr. Higginbotham should be present at the trial, as he would have said the same.

Stanley. Rosedale called me up to the door, Duckrell asked me if I could find him a customer—I said I could, and I went and sold it for Harvey—I did not know it was stolen.

HENRY BRITTAIN *re-examined.* I am quite positive that Stanley said it had been at his place three months—the chaise was given to Mr. Reading.

WILLIAM READING. It was my chaise, and is worth 18*l.*

STANLEY—GUILTY. Aged 21.—Transported for Seven Years.
DUCKRELL—NOT GUILTY.

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230. GEORGE WHITE was indicted for stealing, on the 13th of November, 1 flat-iron, value 1*s.*, the goods of John Monckton; and that he had been before convicted of felony.

SARAH MONCKTON. I am the wife of John Monckton—I lodge in the house with the prisoner and his parents. On the 13th of November the prisoner came to borrow an iron of me, saying it was for the use of his mother—I saw no more of it till I saw it in the possession of the constable.

FRANCIS OWEN. I took the prisoner into custody on another charge—I found the duplicate of the iron which was pawned at Mr. Sawyers.

Prisoner. I did take the iron.

HENRY PYE (*police-constable L* 25.) I produce this certificate of the prisoner's former conviction from the clerk of the peace-office for Surrey—(*read*)— the prisoner is the boy that was convicted.

GUILTY.* Aged 12.—Transported for Seven Years.

Before Mr. Recorder.

231. JOHN GODWIN was indicted for stealing, on the 20th of November, 14lbs. weight of lead and antimony mixed together, value 1*s.* 6*d.*, the goods of John Peel, his master.

JOHN PEEL. I live in the New Cut, Lambeth, and am a printer. The prisoner was in my service—I lost about 14½lbs. of metal used for types—it consists of lead and antimony—it had been kept in the front kitchen, and is worth about 1*s.* 6*d.*

JAMES COULSON. I live at No. 85, Great Saffron-hill, and am a general dealer. About nine o'clock in the evening of the 20th of November I was in the parlour of my house, and the prisoner brought this piece of metal—he said he brought it for sale, and placed it on the counter of the shop for sale—he asked no price—I told him I did not think he had come by it honestly—I knew that persons who are possessed of metal of this kind never sell it in that kind of way—he said it was perfectly right—I said "You must give me your name and address, and I must go with you"—I went, and then I found he did live there—I brought him back to my shop, and told him I should not buy it then, he must call the next morning—directly he was gone I took the metal to the station-house, and asked the inspector for an officer to go and take him.

JAMES MITCHELL (*police-constable G* 145.) I took the prisoner, and have the metal.

(*Property produced, and sworn to.*)

Prisoner. I found it in the Blackfriars-road, as I was coming home that night—I wish to know how he can swear to the lead.

JOHN PEEL. I have eight pieces, cast by an apprentice of mine of the name of George Stapleton—on the day the policeman came to me, he asked if I had missed any thing—I said I had missed several things—I have lost about 100*l.* lately—I looked at this, and sent for the ingot that this was cast in, and there were only seven to be found; and only two days before, I saw the prisoner with the bowl we cast the metal in, and I said, "Let it alone"—Stapleton not having strength to take the bowl up at once, he took the metal up by ladlesfull, and here is the mark of the small quantities he took up—I did not swear to it the two first times, as knowing his father, I did not wish to do it till I was urged—here is the ingot and the other pieces to match—if there was the slightest doubt, I would not swear to it.

GEORGE STAPLETON. I made some castings for my master, and used a small ladle to pour the metal in with—this piece was one—it fits the ingot exactly, and here are the marks round it—I have no doubt but this is one of those castings.

GUILTY. Aged 20.—Confined Three Months.

ADJOURNED TO MONDAY, DECEMBER 12TH.

CENTRAL CRIMINAL COURT.

COWAN, MAYOR. Second Session.

A star (*) denotes that the prisoner has been previously in custody—An obelisk (†), that the prisoner is known to be the associate of bad characters.

LONDON AND MIDDLESEX CASES.

OLD COURT.—*Monday, December 11th*, 1837.

First Jury, before Mr. Recorder.

232. MICHAEL HARRIS and HENRY KNOWLES were indicted for a conspiracy.

Messrs. Adolphus *and* Clarkson *conducted the Prosecution.*

Henry Livermore. I am shopman to Mr. Thomas Cotterell, a pawnbroker, living at No. 163, Oxford-street. On Saturday, the 21st of October, about seven o'clock in the evening, the defendant Harris came into my master's shop—he was dressed in a similar way to what he is now, except that he had a silver guard-chain round his neck, a brooch in his shirt, and a ring on his finger—he had quite a respectable appearance—when he came into the shop he took this watch from his guard-chain, and this ring and brooch from his pocket he was not wearing them on his finger and shirt—he said, "Will you lend me 10*l.* on these; I am going to a concert, and don't like to go without a few pounds in my pocket"—and he said, "I bought this ring of you about three years ago, and the brooch I bought in Paris"—on examining the watch, I saw something which led me to suppose that the Hall mark, which represented the Goldsmiths' mark on both cases, the inner and outer, was a forgery; and on pulling back the case, I broke it off the hinge—I said nothing to Harris about it, but said, "Does the watch belong to you?"—he said, "No; the watch belongs to Mr. Knowles, and in fact they all belong to Mr. Knowles"—I said, "You told me just now you bought the ring of me, and the brooch in Paris"—he said, "I meant to have said the ring was bought of you, and the brooch was bought in Paris"—the ring had not been sold in our shop, because all our diamond articles are booked—this is a little rose-diamond—it is worth altogether about 12*s.* or 14*s.*—it is one of the commonest description of rose-diamonds.

Court. *Q.* Might it have been a pledge, and sold? *A.* If so, it would be sold at the sale-rooms—we could have bought it in at the sale-rooms; but if we had done so, it would have been entered, and I should know it.

Mr. Clarkson. *Q.* You say he said, "In fact they all belong to Mr. Knowles?" *A.* Yes—I asked him where Mr. Knowles lived—he said, "At No. 8, Paddington-street"—I said, "And where do you live?" and asked him his name—he said his name was Harris, and he lived at No. 15, Lower-street, Lambeth (but I believe it is Lower-marsh)—I said, "Have you any objection I should send somebody with you to see that Mr. Knowles does live there, the man who sent you with these things?"—he

said, "Oh, I will go and fetch him," and turned round quickly, and went out of the shop, leaving the property behind him—he walked very sharply out of the shop—I was behind the counter—I went to the door, but he was out of sight—it was dark at the time—he did not return that night, —next morning I went to No. 8, Paddington-street, and found Knowles did not live there—I have examined the watch—as it is only a metal one, we should not be able to get of a private person more than 50*s.* for it—it would depend very much on the quality of the work—it is a lever movement—if it was not for the quality of the works it would not fetch more than 25*s.*—this description of movement would not fetch more—if it was made to order, it would come to more; but if bought in the shop, not more than 50*s.*—in the way of trade it would not be more than 2*l.*—I should think a watch-maker would charge 4*l.* for it, if an order was given for it— the brooch is worth 12*s.* or 15*s.*—it is gold, but I take it to be common gold—there is a way of gilding common gold, colouring it, to make it look like fine gold—there is a stamp on this.

COURT. *Q.* Is not this a French mark? *A.* No; it is an English mark—it is an English made article—I believe it to be gold—the stone is an amethyst, but it is a common one, worth about 2*s.*—not more.

MR. CLARKSON. *Q.* I believe you can buy a necklace and earrings in amethyst for 5*l.*? *A.* Yes, and lower—all entirely stone—they are the cheapest of the precious stones—the topaz is about the same price, unless pinked over—they are dearer then.

Q. On Monday did the other defendant, Knowles, come to the shop? *A.* Yes, on the 23rd, between eleven and twelve o'clock—he said "I have called for a watch, brooch, and ring, which I sent Harris to pawn for me on Saturday"—I asked him what it was—he said a kind of metal or silver gilt —(I did not know him at that time—I think I have seen him repeatedly before, but not to swear he is the man—I did not know Harris before at all) —I asked him his name—he said Knowles—I asked him where he lived—he said at No. 1, Woodstock-street—(I found that to be correct)—I asked him where he got the watch from—he said he bought it of Mr. Husted, at Machin's sale-rooms; that he owed Harris 8*l.*, and he told Harris to pawn them, and pay himself—Mr. Cotterell had in the meantime taken the watch to Goldsmiths'-hall to ascertain about the mark—I did not tell Knowles that, but I said Mr. Cotterell was not in the way, and if he would call again to-morrow he could see him—I did not ask him any thing about Harris, or where he lived.

COURT. *Q.* What sort of a watch is it? *A.* A patent lever—it is a *duffin* watch, made to deceive the public—there has been about 300 pawned about the trade within three years—it is an old-fashioned lack lever—it has a jewel in it—a watch could be jewelled for 5s. in that way—it is gilt upon brass.

MR. CLARKSON. *Q.* Well, you told him Mr. Cotterell was not at home? *A.* Yes, and said would he call the next day?—he said he would—next day a person, whom I have since ascertained to be Charles Skymsher, came to the shop, and produced a note, which I have here—on reading it, I told him he could not have the property unless he brought the man who had left it on the counter—I had not seen Harris from the time he had gone out, leaving the property on the counter, up to that Tuesday—on the following Wednesday Skymsher brought Harris to the shop about eleven or twelve o'clock in the morning—I said to Harris, "We have ascertained that the watch bears a forged hall-mark"—he said, "Knowles sent me with it—

I did not offer it for gold"—I told him he had offered it at a gold price, and I could not let him go without taking him before a Magistrate—he then said, "I did not offer it for gold"—I said he had at a gold price—the policeman was there at the time—there is a very great deception about the article—I did not discover any thing myself till after I took the movement out of the case to weigh it, to see what weight in gold there was, and in doing so I ascertained it was not gold, from something I saw in the case at the time I weighed it.

Cross-examined by Mr. Payne. *Q.* You speak of going to No. 1, Woodstock-street—was that Great Woodstock-street? *A.* Yes, it runs out of Paddington-street—it joins on—No. 1 is the corner house of Paddington-street—there is a dead wall at the corner—it is the first house you come to on the right-hand side—the first house going out of Paddington-street—I made a memorandum of our conversation at the moment—I wrote it down at the back of a duplicate—I have not got it here—I have a copy of it—I only wrote part of it, enough to remind me—Mr. Cotterell has a shop in Shoe-lane, as well as the one in Oxford-street.

Cross-examined by Mr. Jones. *Q.* What is the number of the last house in Paddington-street, before you turn into Woodstock-street, is it No. 7? *A.* I think it is four or five doors from No. 8—I will swear it is more than one door from Woodstock-street, and more than two, I am sure of that—when I first asked Harris his address, he gave me the name of Harris—I believe he gave me the name of Michael Harris—he said he did not know it was not gold, and that Knowles had sent him.

Q. Is this watch on the face of it calculated to deceive a person who had it in his hands for a few minutes only?—*A.* Yes, it very much resembles a gold watch—our shop is not a quarter of a mile from Paddington-street.

Mr. Clarkson. *Q.* Is the house, No. 1, Woodstock-street, a corner house? *A.* Yes, but there is a dead wall between there and Paddington-street, about the width of two houses—I dare say it is forty or fifty feet long—no part of the premises of No. 1, Woodstock-street form any frontage to Paddington-street—Woodstock-street is a much inferior street to Paddington-street.

Q. Is there any thing in giving an address as No. 8, Paddington-street, which would at all lead you to go to No. 1, Woodstock-street?—*A.* No, not at all—Harris said he did not know the article was not gold, and he had brought it from Knowles to pledge—he took it from a silver guard chain to which it was attached by a swivel—he had it in his waistcoat pocket.

John Smith. I am engraver to the Goldsmith's Company. The marks on this watch are forged—(*looking at it*)—it is intended to resemble the Hall mark—both the marks on the outer and inner cases are forged—(*looking at the brooch*)—I am not able to say whether this is a foreign material or not—I cannot find any mark denoting the Goldsmith's mark on it—there are the figures 18, but we should not put that on a brooch alone, we should attach the crown and a letter.

Court. *Q.* What is the Irish hall mark?—*A.* That has the harp in addition to the crown—this does not at all resemble the Goldsmith's Hall mark or the Irish mark—the pendant and lever is silver, and has the genuine Hall mark on it.

Q. What is the difference between the silver and gold mark?—*A.* The [illegible], if gold, ought to have a crown and No. 18, and the silver a lion—this has a lion only—the letter is not visible.

CHARLES SKYMSHER. I live with my brother at No. 120, Oxford-street, and am an artist. I remember the defendant Knowles coming into my brother's shop—it was on a Monday, and I think it was the 23rd of October—he was conversing with my brother, who is a silversmith—I came down into the shop and heard him say he had been pledging some goods or sent them to be pledged at Mr. Cotterell's, and that they would not give them back again—he asked me to go and demand them for him, and he gave me this note as an authority to do so—(*read*)

"To Mr. Cotterell, Oxford-street, 23rd October.—Sir—Please to deliver to the bearer, Mr. Skymsher, the property presented to be pledged for me on Saturday last, (consisting of a lever watch, a brooch, and diamond ring,) who is authorised by me to receive the same, having called this day myself without being able to obtain them. I am your obedient servant,

"1, Woodstock-street." "HENRY KNOWLES."

Q. How far is your brother's shop from Cotterell's?—*A.* Not a great way—it is on the same side of the way—I took the note and presented it to the shopman at Mr. Cotterell's—I saw the shopman, and returned home to my brother's—Knowles was not there on my return—on the following morning Knowles and Harris both came to my brother's, and I then told them what had passed between me and Mr. Cotterell's young man in the shop—that he had told me he could not deliver up the goods but to the person who pledged them, or who brought them there in the first instance—after telling them that, I took Harris to Mr. Cotterell's, and on our way there we had some conversation—I cannot say who began it, but I asked him if it was true that Mr. Knowles owed him any money—I said "I am afraid you have misrepresented this matter to Mr. Cotterell, from what the young man has said to me"—I believe that was the beginning of the conversation, but I do not know who began it—I really cannot recollect—he said he had not, but he said "They asked me so many questions that I was afraid"—he did not say of what, but he said that was the reason he left the shop—he asked me if I thought they would ask him any more questions—he did not say why he wished to know that, but I said to him, "If they do, tell the truth exactly as you know it"—I then asked him if he had dealt with Knowles, and if Knowles owed him any money, and he said he did.

Cross-examined by MR. BODKIN. Did you not ask him if he had given his right address?—*A.* I do not recollect that—my brother is a master silversmith—he keeps a house and shop in Oxford-street—I was there accidentally—I live in the country myself—Knowles appeared to me to address my brother as if he was previously acquainted with him—he came there to state to him what had occurred at Mr. Cotterell's, and to ask his advice what he was to do—Knowles asked me to go to Cotterell's shop and demand the things.

Q. Are you sure it was not you offered to go, upon hearing him state the circumstance to your brother?—*A.* I offered to go on hearing him state the circumstance—Knowles and my brother spoke of an action or proceeding for the recovery of the articles detained, and it was said as a preliminary to any proceeding of that kind there should be a formal demand made of the things—and upon that I volunteered to make that demand.

Cross-examined by MR. JONES. *Q.* When you said to Harris that you were afraid he had misrepresented the matter to the pawnbroker, did not he say he had not? *A.* Yes—I do not recollect whether or not I asked him if he had given the pawnbroker his proper name and address.

Q. Did you not say, "Have you given your proper name and ad-

dress;" and did not he say, "I have"? *A.* It is very probable he might, but I do not recollect the circumstance—he made no objection to going to the pawnbroker's—he said, "I am ready to go with you," and went immediately.

Mr. Clarkson. *Q.* You say, Knowles appeared in familiar conversation with your brother—did not you find them in conversation when you came down? *A.* Yes.

Q. Did you ever mention about any thing being said about an action before? *A.* No; I was never asked about it—it did not occur to me as necessary at that moment—I believe my brother has known Knowles for some time, as a dealer in his trade in jewellery; he deals in watches I suppose—my brother deals in watches, and he has had business with him.

Q. Do you know whether it is the business of a jeweller and dealer in watches to be acquainted with the proper marks of the Goldsmiths' Company? *A.* I do not know.

Charles Hawker (*police-constable D* 106.) On the 25th of October I went to Mr. Cotterell's shop, and found Harris there with Skymsher—Harris was delivered in charge to me for offering to pledge a watch, bearing a forged Goldsmiths' mark—on our way to the station-house he told me Mr. Knowles had sent him with it, and that he wished to go to Mr. Knowles—I said he must go to the station-house first—I took him to the station-house—Skymsher was with him at the time—I went to Skymsher's brother, at No. 120, Oxford-street, and there I found Knowles—Harris was not with me, he was at the station-house—I told Knowles he must consider himself in my custody, as a party concerned about this watch—he said he had bought the watch of a person named Austin, at Debenham's sale-rooms, and that he was then there, and he had better go for him—he did not state to me whether Austin lived at Debenham's sale-rooms, or whether he bought them of him there—I told him he must go to the station-house, and on our way there he said there had been a good deal said about the watch, but he believed part of it was gold, and part was not—he did not say what had happened to the watch before—I took him to the station-house, searched him, and found several articles of jewellery on him, which have since been delivered up by order of the Magistrate—I do not think he said what he gave Austin for the watch—I do not recollect—he said nothing more that I recollect—I found on Harris a silver guard-chain, and silver watch, a brooch, a pin, and a silver tooth-pick.

Cross-examined by Mr. Payne. *Q.* At the time he told you there had been a good deal said about the watch, did he tell you there had been 6*l.*, lent on it at the pawnbroker's, who sent it to the sale-room? *A.* Yes, he said he had given Austin 7*s.*, for his bargain.

Cross-examined by Mr. Jones. *Q.* Have you ever been applied to to give up the articles found on Harris? *A.* No.

George Webb. I am a pawnbroker, and live at No. 35, High-street, Kensington. I have seen the metal watch which has been produced—it was pawned with me on the 23rd of June, 1836—I know what is meant by a *duffin* watch—it is an article with an appearance given to it for the purpose of deception—I advanced 6*l.* on this watch—I thought it was a gold one—I afterwards caused it to be sold at Machin and Debenham's—it was never redeemed—I do not know who pawned it—it fetched 2*l.* 9*s.* at Machin and Debenham's—(*looking at the watch found on Harris*)—this sil-

ver watch is also a *duffin* one, but it is a bettermost sort of one—there are different descriptions—this is worth about 3*l.* in the trade.

COURT. *Q.* What do you call the trade? *A.* A man who has it to sell again—it would sell to a customer at four guineas and a half, or five guineas—it has no maker's name on it.

MR. CLARKSON. *Q.* Has the other one any maker's name on it? *A.* Yes.

Cross-examined by MR. BODKIN. *Q.* Do you call it a *duffin* watch because it has a false hall mark, giving it the appearance of gold when it is not so? *A.* Yes, and it is an inferior movement—I do not notice the hall mark on the case of this watch—I do not know whether it is silver—I only looked at the movement—I did not look at the case—I do not think this is a very good movement to this watch—it is a lever, but a common one—I am speaking now of the gilt watch.

Q. Will you tell me whether this silver watch has a silver case or not? *A.* Yes, it has the genuine hall mark—I call this a *duffin* watch, because it is not made by any particular maker—I cannot point out any other particular circumstance.

COURT. *Q.* Is there any particular appearance about it? *A.* No—it is a sound watch, but it has no name at all.

MR. BODKIN. *Q.* Now here is a watch without any maker's name on it—(*handing him another watch*)—would you say that is a *duffin* watch? *A.* This is a very different thing altogether—it has no maker's name—the circumstance on which I found the one in question to be a *duffin* watch is its having no name on it—that is all—I was very much unnerved at finding I had lent 6*l.* on it—sometimes we lose by watches, but we gain of course by others—there is a good deal of competition in the sale of unredeemed pledges, which gives them value—we generally sell them at what we call *breaking-up* price—I attended the sale of this watch myself, but did not bid for it.

Cross-examined by MR. JONES. *Q.* How many years may you have been in the business? *A.* Seventeen years—I examined that watch in the ordinary way when I took it in pawn, but not particularly—we did not represent it as a gold watch at the sale—I have the catalogue—I bore the loss in the price.

MR. CLARKSON. *Q.* Have you seen either of the defendants attending Machin and Debenham's sale-rooms? *A.* Yes, I have seen them once or twice—I have seen Knowles more frequently than Harris—this silver watch is a sound one—it will go, and keep time, but there is nothing very fine in it—it is usual, where a watchmaker desires to be known, to put his name on the watch—good watches generally bear the maker's name.

COURT. *Q.* Do many persons sell watches which they do not make? *A.* I should think so—one object in having a number is security—that the maker may have a number which he can refer to.

PETER HUSTED. I keep a sale-shop at No. 45, North-street, Sloane-street, Chelsea. I attend Debenham's sale-rooms almost every day—I know the defendant Knowles perfectly well—he was attending there—I bought the watch there which has been produced—I think it was about the 16th of October, but I cannot say the day—I gave 2*l.* 9*s.* for it—it was put up openly, and bid for—Knowles was standing alongside of me at the time—I paid 2*s.* 6*d.* duty—it cost me 2*l.* 11*s.* 6*d.* altogether—Knowles and several other gentlemen wanted the watch, and I sold it to Knowles at 6*s.* 6*d.* profit.

ELIZABETH GEORGE. I live at No. 8, Paddington-street, and have

lived there two years last Michaelmas. I do not know the defendant Knowles at all—I know No. 1, Woodstock-street—it is a shop—it has no communication or connexion with our house—our house is three doors from the dead wall—the corner house of Paddington-street is No. 11, and beyond that is the dead wall.

(*Witnesses for the Defence.*)

ROBERT ROWE. I keep a coffee-house and hotel in New-street, Covent-garden. I have known the defendant Knowles, I may say within compass, for five years—I have done business with him during the last five years, and bought goods—I bought a watch of him which I have now in my pocket—he has borne the character of an honest man.

MR. ADOLPHUS. *Q.* Do you know whether he is in the habit of frequenting Machin and Debenham's? *A.* Yes, I believe as often as there are sales there—I know Harris by sight—I have seen him with several of the dealers—I should rather say I have seen him with Knowles than not—I have never observed him bidding and buying—I attend the sales there.

MR. BODKIN. *Q.* Things sell cheap there? *A.* Sometimes, and sometimes very dear.

ROGER BROWN. I am a watchmaker, and live at No. 25, Shepherd-street, Shepherd-market, May-fair. I have known Knowles between four and five years—he is a very honest, respectable tradesman.

MR. ADOLPHUS. *Q.* Is he a pretty good judge of a watch? *A.* I do not know—I do not think he is—I have not dealt much with him in watches—I have for coats and other things, and jewellery, or any thing—I know very little of Harris—I have seen him—I have not seen them in company together—I go to Machin and Debenham's sometimes—I do not know that I have seen them there—I have seen Knowles there frequently.

MR. BODKIN. *Q.* You do not think he is a good judge of a watch? *A.* I do not.

COURT. *Q.* What is your reason? *A.* First and foremost, he is very short-sighted—he has had very bad eyes.

Q. Has he eyes enough to see the Hall mark? *A.* I do not know whether he is judge enough to know a hall mark—the hall mark on gold is the No. 18 and the crown—that signifies eighteen carats—the mark on silver is a lion, and the letter—that merely signifies that it is genuine—(*looking at the watch*)—this is a representation of a Hall mark, but it is not a good one—it is not genuine.

MR. BODKIN. *Q.* It is a pretty good watch, is it not? *A.* I should value it about 4*l.* 10*s.*—I should not recommend it—I do not think it would do justice.

COURT. *Q.* Do you mean when new? *A.* As it is now—if new it would sell for about 7*l.* or 8*l.*—I should not think you could get it under—this is gilt, and therefore it is dearer than silver—I cannot tell whether it is silver gilt without I cut it—at first sight it has the appearance of being gold—you will see the bow is silver—it is paler than the other—it does not take the gold as the other parts do—they are the same hands as would be put on a gold watch—the J. N. on it signifies the name of the person who made the case.

(Several other witnesses deposed to the prisoners' good character.)

HARRIS—GUILTY.—Confined Four Months.

KNOWLES—GUILTY.—Confined Six Months.

Both recommended to mercy.

233. EDWARD SAMUEL MARSHALL was indicted for embezzleing, to the amount of 300*l.*, the monies of Mark Perkins, his master; to which he pleaded

GUILTY.—Aged 33.

(James Pascoe, Boston Cottage, Shacklewell; Edward William Dubois, Baker-street, Pentonville; William Middlebrook, clerk to a solicitor, Green-terrace, Spa-fields; John Phillips, jeweller, Cobham-row, Clerkenwell; Richard Cumming, solicitor, 5, King-square, Goswell-road; Joseph Dodd, carver and gilder, Marchmont-street, Brunswick-square; and John Kirby, hosier, Cheapside; gave the prisoner a good character.)

Recommended to mercy by the Prosecutor.—Transported for Seven Years.

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234. ABRAHAM DANIELS was indicted for stealing, on the 5th of December, 1 coat, value 5*s.*, the goods of Luke Lench.

LUKE LENCH. I live in Lyon-street, New Kent-road, and am a ticket-porter. On the 5th of December I had a truck in Fore-street, about half-past five o'clock—I stopped at the inn yard, and when I came from the booking-office I missed my coat from the truck—I have seen it since—the officer has it.

HENRY RANDALL. I live in Wilderness-lane, Dorset-street, Fleet-street, and am a City toll collector. I was in Fore-street on the 5th of December, and saw the prisoner talking to another person on the pavement—I turned round, and saw the prisoner following a truck up the yard—he had no coat when he went up, but he came out with the coat on—I asked what business he had with it—he took it off, and threw it at me—I followed, and took him, and gave him in charge—he ran as fast as he could.

Prisoner. It is as false as can be.

WILLIAM HUMPHRIES (*City police-constable* 12.) Last Tuesday night I heard Randall crying "Stop thief"—I saw the prisoner coming down Fore-street, and Randall was about four yards behind him—I crossed the road, and stopped behind a wagon—the prisoner ran behind a door, and Randall caught him—I took him to the watch-house, and have the coat.

Prisoner. I can take my oath I was not running—they both swear falsely. *Witness.* Yes, you were.

(*Property produced and sworn to.*)

Prisoner's Defence. I had occasion to go up the yard, and this man said I had his coat, but I am quite innocent of it.

GUILTY. Aged 28.—Confined Three Months.

OLD COURT.—*Tuesday, December* 12*th*, 1837.

Second Jury, before Mr. Recorder.

235. JOHN MURRAY was indicted for wilful and corrupt perjury.

NOT GUILTY.

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236. JOSEPH DAVIS was indicted for wilful and corrupt perjury.

NOT GUILTY.

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237. THOMAS RICHARDSON was indicted for wilful and corrupt perjury.

(Mr. Phillips, on the part of the prosecutor, declined offering any evidence.)

NOT GUILTY.

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238. ROBERT ALLEN and THOMAS MELLOY were indicted for stealing, on the 5th of December, at St. Ethelburga, 2 rings, value 10*l.*, the goods of Charles Gibson, in his dwelling-house.

Charles Gibson. I am a jeweller, and live in Bishopsgate-street. On the evening of the 5th of December, about half-past eight o'clock, the prisoners came to my shop and asked to see some diamond rings—I took a tray out consisting of diamond and other rings—(my shop forms part of my dwelling-house, and is in the parish of St. Ethelburga, in the City of London)—they did not purchase any rings, but they purchased a gilt key of my young man, who was standing some distance from me at the time—on their going out of the shop I missed two rings, one of which I had shown to them, and the other was in the same tray—no one but myself and the prisoners had been near the tray from the time I showed it to them till I missed the rings—I have since seen one of them—the value of that one is about 5*l.* (*produced*)—this is it—the prisoners were both looking at the rings—I think only one took the rings in his hand—that was Allen, and I have reason to think he put them down again.

Cross-examined by Mr. Phillips. *Q.* What are these? *A.* Rose diamonds—they are real diamonds—they are the same as other diamonds, only differently cut—the difference is in the cutting only, not in the stone—a thin diamond would make a good rose, but would not make a brilliant—there is a mark on this—I think it is 27, but I see it is a good deal rubbed—my eyes are not good enough to see it, but I have looked with a glass, and I find there is a mark, but it is so worn that I could not swear to it, even with a glass—I swear to it by its general character—it is rather an uncommon shape—I should not now make such a ring—I never saw one like it—rose diamonds are very common, but I do not think any jeweller in London would make such a ring as this now—I made it myself for a particular person, who did not have it—I have the number of it in my book, but there is no number on this ring.

Q. Had you known the persons you call the prisoners before? *A.* No, I had not—I had never seen them before, to my knowledge—it was from eight to half-past eight o'clock in the evening—the gas was lighted—it is not very usual for me to be in the shop all the evening, but I was on that occasion—I do not think I can be mistaken in them—I had a boy and a shopman in the shop—they no doubt had the opportunity of seeing the persons—they were looking at them at the time—one of them sold a key to one of the persons.

Q. He would therefore have the opportunity, if he could, of confirming you as to the identity of the prisoners? *A.* Most assuredly—neither of them are here—I did not think it necessary.

William Fish. I am in the employ of Mr. Walton, a jeweller, in Ludgate-street. On the 6th of December I recollect seeing the two prisoners at my master's shop—I am sure they are the men—it was about five o'clock in the evening—they asked to look at some diamond rings—they both spoke—I showed them some small ones—they said they wanted to look at some larger and more expensive ones—I put a tray of more expensive ones before them—they did not purchase any—I afterwards

from the chaise—I heard an alarm of "Stop thief"—I pursued him and stopped him—he was running—Norton gave me the cloak and said in the prisoner's presence "That is the man"—he charged him with being the thief.

Prisoner. I own the boy said I was the thief, but he said quite false—I was not the person who took the cloak at all.

PRATT COLLIER. I am a miller, and live at Romford in Essex. I was at Mr. Seals's shop on the 4th of December—I left my chaise at the door, and that cloak in it—a constable brought it to me within five minutes—it is the same as I had left in the chaise, and is mine.

Prisoner's Defence. I have nothing to say further than I have said—it was not me took the cloak—I was in front of the man who took it, but I never had it in my hands—I am not the person.

WILLIAM NORTON *re-examined.* It is not true, I saw him take it—I am not mistaken.

GUILTY. Aged 20.—Confined Six Months.

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241. JOHN LOCK and WILLIAM MATTHEWS were indicted for stealing, on the 6th of December, 1½ pint of wine, value 4*s.*; 1 bottle, value 2*d.*; 2 lbs. weight of bread, value 1½*d.*; and ½ lb. weight of meat, value 3*d.*; the goods of Thomas Paris, the master of the said John Lock.

THOMAS PARIS. I live at Greenwood, Hadley, in the parish of Enfield. The prisoner Lock was about six weeks in my service—on the 6th of December about twelve o'clock at night I was going to bed and was undressed—my dressing-room is almost over the pantry—I heard people talking, and went down stairs and listened at the pantry door for some time—I still heard talking, and tried the door, but could not open it—I said to my servant Lock, "John, open the door"—he said, "What, sir?"—I said, "I insist on your opening the door"—he opened it—I found he was in liquor—I said, "Who were you talking to?"—he said, "I was not talking to any body"—I said, "Nonsense, I have been listening at the door"—he said, "I was not talking to any body"—I went to the adjoining place, where there is a sink and a door which leads to the wash-house, and found a man concealed behind that door—I dragged him to the light, and found it was the prisoner Matthews, who had been in my house some time previous, brewing—he had two bundles in his hand—I said, "What have you got here? put them down on the ground"—I desired him to open them—Lock was going to open them, but I would not let him—Matthews opened them, and in one was two pairs of shoes which do not belong to me—the next bundle contained some bread, which, as I bake at home, I know to be mine—while I was looking at him I observed he had a bottle stuck in his breast—I collared him, and said, "I will see what is in this bottle"—he said, "You shan't,"—I said, "I will"—we had a scuffle—at last we got against the sink—I pinned him, and when he found he could not help himself he smashed the bottle against the sink—it contained sherry wine—I was dragging him back to the pantry, and he struck me three or four times, but did not hurt me—I pulled him down—my maid servant was gone to the stable for the groom—my wife came in, and, being nervous, I was obliged to let him go, to go to her to get her away, and in the meantime Matthews escaped, but he was apprehended at eight o'clock next night—the wine was taken from my cellar—I know that from Lock's confession—I always kept the key of the cellar myself, and gave out perhaps two or three bottles of wine at a time—I did not miss any wine—it is difficult to miss any, for there is a good deal of wine drank in my house

when I am out—I might easily lose a bottle of wine without knowing it—I know the bread—the loaves are a very peculiar shape, and we bake them ourselves—this is a loaf that came out of his handkerchief.

Cross-examined by Mr. Doane. *Q.* Are you in any business? *A.* I am a merchant—I have lived at this place since July—before that I lived there with my father—I had my wife's mother and sister stopping with me at this time, and I had given out several bottles of wine—I had not a dinner party that day—my friends were staying at my house—there was a little mutton and veal in the handkerchief—Matthews had been employed there as a brewer, but previous to this—it was only one bottle of wine that Matthews had—a bottle does not hold a quart—Lock was in liquor at the time—he slept in my stable that night—he walked out of the house and shut the door—he could not get in again, and slept in the stable—he returned next day, and was refused admission—he came to the house, and I desired him to walk out—there is a Mrs. Delarby in my establishment—she is my wife's lady's-maid.

Cross-examined by Mr. Jones. *Q.* How many bottles of wine did you give out that day? *A.* Three quart bottles of sherry, and I think three pint bottles—the bottle I found on Matthews was a quart bottle—it is evident the cork had not been drawn, and the quantity spilt must have been as near a bottle as possible—the cork was not broken when I first saw it in his possession—I did not take it up myself after he threw it down, till the policeman took it up, which was about two o'clock the same morning—Lock used almost always to decanter the white wine—I used to decanter the port wine myself, for fear he should shake it—I gave him three quart bottles and some pints of sherry, but they were all safe in the cellaret afterwards, for I looked at them—not any of the wine I gave him out that day was used at all—I had given him wine about three or four days before—when he was out of wine he asked for more.

Q. Was any part of the former quantity of wine remaining in the cellaret that day? *A.* One bottle—I generally gave him four or five bottles, and sometimes three—I did not look to see what remained in the bottles, but if I had thought there was a small bottle I should have remarked on it—part of the bread found on Matthews was broken, and part not broken—the bread was not all under the control of Lock—Mrs. Delarby and the cook had access to it—I gave Matthews 3*s.* 6*d.* a day while he worked for me—he had no business there that day—I did not know he was in the house—he was not in the habit of assisting to clean the plate, to my knowledge.

Court. *Q.* Did Lock give you an account of this? *A.* Yes, before the Magistrate he did, and he said that night that he gave it to Matthews, but he denied it next morning.

Thomas Austin. I am a patrol belonging to the Barnet Association. I was sent for to Mr. Paris—he gave Lock into my charge, who directly went out of doors—Mr. Paris wished me to keep in the house till the morning—it was between one and two o'clock in the morning—I searched for Matthews—I found in the adjoining room to which Lock had been two small loaves in the sink, with part of a bottle, and part on the ground—there was a little wine in it, which I tasted, and it was sherry.

Mr. Paris *re-examined.* None of my servants are here—I could not open the door when I went to it—it might have stuck—that was the room where Lock was—it was about a quarter to twelve o'clock when I and my family left the drawing-room, but I did not look at my watch—it was twelve [illegible] heard the noise—it was after I had quite undressed, and I

conclude, from the time it took me to undress, it was about twelve o'clock —I had my dressing-gown on when I came down—there was a light in the pantry—there was no light where I found Matthews except what was obtained by the pantry-door being open—he could get out through the washhouse without coming through the pantry, and he did go that way.

(The prisoners received good characters.)

LOCK—GUILTY. Aged 31.—*Recommended to mercy.*—Confined Two Months.

MATTHEWS—GUILTY. Aged 40.—Confined One Month.

NEW COURT.—*Tuesday, December 12th,* 1837.

Fifth Jury, before Mr. Common Sergeant.

242. THOMAS MACDONALD and JOHN JACKSON were indicted for stealing, on the 25th of November, 14½ yards of floor-cloth, value 1*l.* 10*s.*; the goods of Thomas Baxter, their master, to which

MACDONALD pleaded GUILTY. Aged 36.
JACKSON pleaded GUILTY. Aged 29.
} Confined Six Months.

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243. CHARLES OLIFFE was indicted for stealing, on the 18th of September, 1 ass, price 15*s.*, the property of Walter Young.

WALTER YOUNG. I live at Strand-on-the-Green. I had an ass on the 18th of September, and turned it out in the ground of the Water-works Company, at Brentford—I had bred it—it had a particular mark on the bearing—I lost it on the 18th of September—it is three years old next May—I next saw it on the 5th of December, in Brentford, with the prisoner—I had seen him before—I went up to him and asked how long he had had the donkey—he said, " Four years"—I said, " Not four months"—he said, " What, have you lost a donkey ?"—I said yes, I had lost it, but I could not have lost it as it was before my eyes—then he said, " Will you pay me for the keep of it, all the time you have lost it ?"—I refused, and went to the station-house, and stated that I had lost my donkey on the 18th of September, and had seen it come up the town with some sprats —I said he had some marks done with the cow's horns—if it was not mine, I would not swear to it—I swear it is mine, and not my mother's.

Cross-examined by MR. PHILLIPS. *Q.* Where is Strand-on-the-Green? *A.* In Chiswick—I found the prisoner at Old Brentford, about a quarter of a mile from Strand-on-the-Green—Mr. Marshall, and several of the brewer's men, overheard the conversation—the prisoner was driving it in the street—it is the same as another donkey, I suppose.

WILLIAM MARSHALL. I know this donkey—I saw it in the prosecutor's possession when he went to the station-house—I knew it ever since it was foaled—some people said it was his mother's donkey, and some said it was Walter's, and I could not tell whose it was—Young had a donkey, and I believe that to be his—it is the one he used to drive—I did not see it in the prisoner's possession at the time he was taken—I believe it to be the one that was in Young's possession, whether his or his mother's—I did not hear any thing said about paying for the keep of it—I was not there then.

JAMES CUISTHEN. I am a policeman. I took the prisoner and donkey —I asked him how he came by it—he said he had had it nearly four

years—that he bought it at Smithfield-market—I observed the marks about—it there is a very particular mark—so particular that it can be identified.

MR. PHILLIPS *called*

WILLIAM BOND (*police-constable L* 134.) I have been two years and eleven months in the police—I know the prisoner—he is a hawker of sprats and other things about Chiswick—I have seen the donkey down stairs and know it—I knew it before last September, and two years before last May—I know no mark on it—but I know it is the one I have seen in possession of the prisoner—he had a donkey, and only one.

JURY. *Q.* Had you known any mark on it? *A.* No.

RICHARD WICKERS. I am a farrier. I know the prisoner's donkey—I have shod it I suppose forty times—I can swear this is his donkey.

NOT GUILTY.

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244. FREDERICK MITCHELL was indicted for stealing, on the 4th of December, 20 pieces of wood, value 7*s.*, the goods of Hugh M'Intosh, his master; and 1 pickaxe, value 2*s.*, the goods of John Frazier.

JOHN CLUNAS. I am in the employ of Mr. M'Intosh, the contractor for the Great Western Railroad, at Ealing. We have lost twenty pieces of wood—this is one piece that I saw at the station-house—we have lost it I—know this to be Mr. M'Intosh's—the others were at the station-house—to the best of my knowledge, they were Mr. M'Intosh's—the prisoner was employed by him.

Cross-examined by MR. PHILLIPS. *Q.* Is Mr. M'Intosh here? *A.* No, not that I know of—his Christian name is Hugh—he lives at No. 39, Bloomsbury-square—here is a place on this piece of wood where we lay our chairs for the wagons to go on—there is no other railroad at Ealing—the next is the Birmingham.

JURY. *Q.* Are you in the habit of marking your timber? *A.* We did not mark this by the letters M. I., as we do on valuable articles—but there is a cut in it, and our sticks were so marked—we call these sleepers, and here is the mark where we put the chair.

JOHN FRAZIER. I work on the rail-road. I had some pickaxes there—I lost several—this is one—this is the mark that I paid a blacksmith to put on with a coal-chisel—I know it by this mark.

Cross-examined. *Q.* What is your name? *A.* John Frazier—I have had it spelt it two ways—I spell it Frazier.

JOHN POOL (*police-constable T* 152.) I was at Ealing. I was set to watch, and saw the prisoner and his brother coming through West Fields, with a quantity of paling on their arms—I went in pursuit of them, and the prisoner threw down the palings—I stopped his brother, and he having but a small quantity of wood, the sergeant said it was not worth while to stop him—but we watched the prisoner to the house he went into—we went in, and found this wood under the bed up stairs—he rented the house—I charged him with it—he said he knew nothing about it.

Cross-examined. *Q.* Did not his brother live in his house? *A.* He boarded there, but did not live there.

JOHN PASCOE (*police-sergeant T* 19.) I went with Poole, and found this pickaxe in the back room, concealed—no one slept in that room—it is down stairs—it is a sort of wash-house—this wood was found under [illegible] bed in the back room, I believe, the mother's bed—we went after his [illegible] caught him—he is in prison.

Cross-examined. *Q.* The prisoner is married? *A.* Yes, I believe so —he states so—I have seen a woman there.

JURY. *Q.* Did his brother work on the railway likewise? *A.* Yes—he was convicted summarily by the Magistrate—we let the brother go, to find out where the prisoner went.

GUILTY. Aged 27.—*Recommended to mercy by the Jury.*—Confined Three Months.

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245. JACOB FLESCH, JOHN JACKSON, and JULIUS HENOCHOBERG were indicted for a misdemeanor.

MR. KEENE *conducted the Prosecution.*

GEORGE WHITBREAD. I reside at No. 11, Exmouth-street, Commercial-road, and am a nautical and mathematical instrument maker. On the 20th of September Flesch called on me—I had seen him before—he introduced himself by saying he had lived opposite me five months—he said he had received a letter from Mr. Brandis, of King-street, Liverpool, and he understood by the letter that Mr. Brandis wanted mathematical, optical, and nautical instruments—I let him have three telescopes—I did not make any agreement with regard to the payment at that moment—he did not pay for them—he kept them six days, and returned them again, and said that he had received a letter from Mr. Brandis, saying that he was highly satisfied with them, but wished to have my name put upon them—he then wished me to let him have something more—I then let him have a handled quadrant and compound microscope—he said I should be sure of the money in a week's time—in three days after he called again, and pulled out a two-penny-post letter, and said he had received that from Mr. Brandis—that he was highly satisfied with the articles he had received, (the telescope had been sent back, and the quadrant, and microscope, with my name on them,) and that Mr. Brandis would call on the following Thursday or Friday, and pay me for those goods, and give me a large order—he never called—I saw Flesch again on Tuesday morning, the 10th of October —he said that he had been in company with Captain Jackson at "a free-and-easy," in Rosemary-lane, on Monday evening, and that none but foreign captains used the house—he wished me to let him have a sextant, which he had previously seen, to show to Captain Jackson—he said he lived somewhere near Newgate—I objected to it, saying, I had not received any money for the first, and the instrument was a delicate instrument, I was afraid of letting it out, but he might have the quadrant to show the gentleman as a specimen of the workmanship—he then took the quadrant, and promised to return it in two hours, which he did, and asked me if I should have any objection to bring the sextant and quadrant to his house in the afternoon, as he lived opposite—I agreed to do it—he came over about four o'clock, seemingly in a great hurry, and said, "Make me out an invoice"—he said Jackson supposed he was gone to the back room of the house to get the invoice—I was taken off my guard—he said, "Just receipt it," and I put "Settled" to it—he asked me to bring over the sextant and quadrant in a quarter of an hour, which I did—(they are here now)—I found the three prisoners smoking, and drinking rum and water—I placed the two instruments on the table—they all looked at them, and Jackson said it was a very fine instrument, and Henochoberg said it was a very fine instrument—Flesch said that he wanted 10*l.* for them—Jackson objected, and said he would give 8*l.*, as he was going to let Flesch have a gold watch and a lot of other things—Jackson then said he had no objection to give the price, but Flesch must go with him to

the hotel, in Leicester-square, where he was lodging, and have the opinion of a friend of his who was staying there with him; and if his friend approved of the instruments, he should have no objection to give the price—I asked him what he was—he said, "On the sea," or "On the water"—I proposed going with Mr. Flesch to Leicester-square—Jackson objected to it, and wished me to come the next day with Mr. Flesch to dine, with him at five o'clock in the afternoon, and to bring some cards, as he had some friends there who wanted instruments, and no doubt he would sell two sextants—I then asked Flesch to step over to my house—I said I felt uneasy about these instruments—he felt hurt that I should suspect his honesty—I said I should be sorry to hurt his feelings, but I spoke as an honest man, but I had had no money for those I sent to Mr. Brandis, which was my reason for objecting to leave the goods, and he said I should have the goods or the money by half-past ten o'clock the same night—this was at a quarter-past four o'clock—I then placed myself at the bed-room window, and saw the three prisoners go out together—Flesch had the sextant and quadrant in his hand—Jackson was with him, and Henochoberg behind them—I followed them as far as Sidney-street, in the Commercial-road—there is a pawnbroker's at the corner—I suspected they had gone in, and I saw no more of them—I returned home—the next morning their landlady called me over and spoke to me—I then went with Mr. Langley, with the intention of going to Leicester-square, calling at the different pawnbrokers in my way—I found that the quadrant had been pawned at Mr. Fleming's, in Newgate-street, about an hour after they had left the house that night, and the sextant was offered further on—on the following Monday evening I met Flesch and Henochoberg in the London-road—I collared Flesch, and Henochoberg ran towards the Elephant and Castle, but the policeman Cook, L 71, pursued and took him—I said to Flesch, "I have been a long time after you; I have got you at last"—he said he was very sorry; I should find that he was an honest man, and he would pay me every farthing—I then took him to the station-house—the next morning we took Jackson into custody—we found him at No. 7, Poplar-row, New Kent-road, and the next morning they were taken before the Magistrate—I asked Jackson if he knew me—he said he did not—I said, "Good morning, Sir"—he looked very hard at me—I said, "Do you know me?"—he said he did not—he then said, "What have I to do with you?"—I said, "I am very sorry I have so much to do with you"—I said, "Do you know any thing of my sextant and quadrant?"—he said he had nothing to do with it; that Flesch owed him 30*s.*, and he gave him this quadrant to pawn to pay himself—he did not tell us where, that I recollect—I think we told him that we had found the quadrant—Henochoberg had come over two days before to look at these intruments, which I did not state in my depositions—he said Flesch sent him to look at the pillar sextant.

Cross-examined by Mr. Ballantine. *Q.* Were you examined at the Police-office? *A.* I was—there were four hearings—I gave evidence against these prisoners on a former Session in the Old Court—I did not say that Henochoberg came on any of the four occasions, to my knowledge, nor on the trial in the other Court—I gave Flesch an invoice of the quadrant and sextant—I never had it—it was made out in the name of Flesch—Flesch treated the quadrant and sextant, when over the way with Henochoberg and Jackson, in my presence, as his own property—he said that he, Flesch, wanted the 10*l.*—Jackson said it was a very fine instrument, as if it was Flesch's own property.

JURY. *Q.* How long had Flesch lived opposite to you? *A.* About the time he named, five months—when I followed the parties out of the house Henochoberg had nothing in his hand—I spoke of Flesch's landlady.

WILLIAM JOHN SMALLSHAW. I am foreman to Mr. Fleming, a pawnbroker, in Newgate-street. On the 10th of October a quadrant was pledged in my shop by Jackson, in the name of John Coleman, No. 11, Leicester-place, Leicester-square, between seven and eight o'clock in the evening—I have seen Flesch before—he has been in our shop several times as a purchaser and pledger—I never saw him and Jackson together—I never saw Jackson before—Mr. Whitbread came to make inquiries the next morning.

MENDLEWITZ MYERS. I have known Jackson twenty years—I never dealt with him—I know Flesch—I have seen him once—one morning about the 10th or 11th of October, he called at my house, with Henochoberg—he had an instrument made of brass, in a mahogany case—he asked me whether I would purchase it, and he said he had some more like it—I asked where they were, and he said in pledge—he looked over his pocket-book and gave me the tickets—I took some from a pawnbroker's, and then I went to Mr. Fleming, and he would not let me have it—I then returned home, and told Mr. Flesch—he was alone—Henochoberg was not with him—I told Flesch the pawnbroker had stopped the ticket, and told me the gentleman had lost the ticket; Flesch looked over his pocket-book, and said "How can I have lost the ticket?—this is my invoice that I bought, and these are my articles"—I saw "Settled" on it, and I thought that they must belong to Mr. Flesch—I told him I had got a friend who was in that line—I do not deal in these things myself, as I deal in jewellery and clothes—I said I had got a friend who was in that line; I would go to him and see if I could sell them, and I showed them to him.

Cross-examined. *Q.* You are a man in business yourself? *A.* Yes, and in the habit of making out invoices—I would never make out an invoice and say "settled" to it, unless I had received the money.

PHILIP HARRIS. I am a general dealer, and live in High-street, Shadwell. I know Mr. Myers—I bought the sextant, a quadrant, and three, small telescopes of him—these are them—I gave 16*l.* for them.

Jackson's Defence. Mr. Flesch begged me to call on him to tea—he gave me his card—I came to him—he showed me some quadrants, and said, "I have got a handsome piece over the way, that you can make a price of in Paris"—so he went over—he came back in a few minutes and said, "A person will bring it over"—a person brought it over—he said, "It is a fine piece—I made it for a Captain"—Flesch asked me eighteen guineas for it—the man went into the back room, and Flesch said to me, "Have you got money by you?"—I said, "Not much"—he said, "I want a couple of sovereigns"—I said I could not lend him so much—I lent him 30*s.*—so Flesch says, "Look at my invoice; I paid so much"—I said, "It will not suit me—give me my 30*s.*"—he said "Go with me, I will pay you"—I went with him to Newgate-street—he said, "There is a pawnbroker, go there and pawn it"—I went—the pawnbroker would not give me more than 25*s.*—I took it—Flesch said he would give me the 5*s.*—I left him, and never saw him again; but a few days after that the prosecutor came and said "I shall take you in charge"—I did not buy the goods of him—he sold them to another person, if he did not pay him I did not know it, I saw the invoice—the manufacturer gave him his character himself—I am very innocent—I never said I lived in Leicester-square—I go there often—I did not tell the pawnbroker I lived in Leicester-street, Leicester-square.

Henochoberg's Defence. Mr. Flesch is a countryman of mine—I did not know any thing of the business—I went to Mr. Myers with Mr. Flesch—the officer took me—I do not know any thing about the business at all.

FLESCH—GUILTY. Aged 27.
JACKSON—GUILTY. Aged 39. } Confined Two Years.
HENOCHOBERG—GUILTY. Aged 32.

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246. EDWARD BIGGS was indicted for stealing, on the 1st of December, 1 window-guard, value 3*l.* 10*s.*; 1 pair of scales, value 5*s.*; 2 preserving pans, value 1*l.* 10*s.*; 2 jelly-moulds, value 5*s.*; and 1 set of harness, value 1*l.* 10*s.*; the goods of William Bennett, his master.

WILLIAM BENNETT. I live at No. 115, Shoreditch, and am a pastry-cook. The prisoner was in my service occasionally for eighteen months—I missed a brass guard, a pair of scales, two pans, and a copper mould—I taxed the prisoner, and he said that distress had driven him to it, and his child was dead—he seemed very sorry for it—the things are not all here—the marine-store dealer acknowledged to having them, but he had broken them up—we have the moulds here, but they were taken after Saturday, on the Monday.

WILLIAM PIKE. I am a pastry-cook. I bought these jelly-moulds of the prisoner for 1*s.*—the prisoner has been a servant of mine, and is in my debt—he brought these and said he had authority to sell them on commission for Mr. Bennett—I said, "I don't want to buy them"—I went to Mr. Bennett to know if he had commissioned him—he said he had not—they are worth 5*s.*

Prisoner. In respect to the moulds, they are to be bought for half-a-crown a piece—the whole of the charge was compromised and settled, that I should pay so much a week, and some money has been stopped.

WILLIAM BENNETT *re-examined.* I deny that, on my oath; if any more is stated I shall be obliged to go through the whole.

GUILTY. Aged 26.—*Recommended to mercy by the Jury and Prosecutor.*
Confined Two Days.

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247. RICHARD SEARLE was indicted for stealing, on the 10th of November, 7 bricks, value 6*d.*, the goods of William Stuckey, and another.

WILLIAM STUCKEY. I employed the prisoner to clear a number of bricks at Twickenham—I lost a great number, and watched—on the 10th of November I saw the prisoner come to the stack and take seven bricks—I watched him, and hallooed to him before he got to his house—he came back—I ordered him to take them back to the stack again, which he did, and then I got a warrant.

Prisoner. He agreed to give me two months' work, and I built a little Gothic work in front of the house—I told him I should take the bricks to build it with. *Witness.* He said he should build it, but he did not say he should take the bricks—I let the house to a man, and he agreed with the prisoner to do the ceiling, instead of which the prisoner got and put the man's goods out, put in two chairs and a table, and would not let the man in again—I went to him as he was doing up the other houses, and said if he would give up the key I would give him 5*s.*

Prisoner. The house belonged to my grandmother, and when she died it was left to the prosecutor's wife, and there has been a dispute about it—he is my uncle—they were my own bricks—they threw me out of work,

and set another man on—he said there was plenty of work, and I went day after day, and summoned him for 30*s.* for the time I lost—then he got a warrant against me for stealing these bricks, and he did not take me till I got to the court. *Witness.* He was engaged in building a wall, and then we discharged him, and got his brother to do it—he came and said, "I am much obliged to you for doing this, I will treat you with a pot of ale" —he got the summons for building this wall, and said he had a right to be paid for doing it.

Prisoner. They were my own bricks, and I took them before his face. *Witness.* Yes he did—I was watching there at the time—I do not know that he saw me. NOT GUILTY.

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248. JAMES SAYERS was indicted for stealing, on the 4th of December, 1 hat, value 8*s.*; and 1 handkerchief, value 9*d.*; the goods of John Jennings.

JOHN JENNINGS. I am a labourer. I went into the Bell, in the Uxbridge-road, on the 4th of December—I was drunk—I had a hat and handkerchief —I went to sleep, and the hat and handkerchief were gone, and an old hat left in its place—this is my hat—the handkerchief was in it.

JAMES CARTER. I am potboy at this house. I saw the prisoner take up this hat, and saw the handkerchief in it—the prosecutor was then asleep—he was not very drunk—the prisoner put the hat behind him, and took the handkerchief out—he looked at it, and put it back again behind him—the prosecutor awoke, and found out that his new hat was gone, and the old one left in its place.

HENRY GILES (*police-constable T* 72.) I went to the public-house and found this hat and handkerchief with the prisoner.

Prisoner. We were all tipsy together—our hats fell off, and I took this hat in room of my own. *Witness.* I asked him where his hat was—he said in the stable, if I called the ostler he would produce it—I called the ostler, and then I looked round and saw this hat and handkerchief by the prosecutor's head—the next morning, as he was going to the station-house, he said it was a bad job that he took it.

GUILTY. Aged 35.—*Recommended to mercy by the Jury.*
Confined One Month.

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249. JOHN CALLAN was indicted for stealing, on the 9th of December, 1 pair of half boots, value 13*s.*; the goods of William Wesley.

WILLIAM WESLEY. I was in company with my wife and child, at a quarter-past eight o'clock, on the night of the 9th of December, selling shoes—I put them on the table at a public-house, and told my girl to mind them—I afterwards returned and missed a pair—these are them.

Prisoner. I am quite innocent of these things as a child—did you see me take them?—*Witness.* "No," you said to me, "Whose boots *be* them?" "Mine," says I, and I took notice of you at the time, my child was then crying and said, "The man has run out with the boots."

SARAH WESLEY. I was watching these boots for my father in the public-house that night—the prisoner took them and ran out with them—he made a pretence to throw them under the table, but he ran out with them—he took them while my mother was trying on a pair of boots for a customer.

Prisoner. She swore that I wore a kind of velvet jacket on that night,

and I can find fifty people that can say I had not a velvet jacket on that night.

JOHN COCKARD. I am a pawnbroker, living in Old Brentford. On Saturday night the prisoner came to the shop and brought these boots to pawn—I lent him 5*s.* 6*d.* on them—he said they were his own.

Prisoner. They are mine—I paid 9*s.* for them to my father's brother.

GUILTY. Aged 26.—Confined Three Months.

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250. CHARLES MAHONY was indicted for stealing, on the 2nd of December, 1 pair of trowsers, value 10*s.*; 1 waistcoat, value 12*s.*; 1 handkerchief, value 1*s.* 6*d.*; 2 seals, value 1*s.* 6*d.*; 1 ring, value 6*d.*; 1 knife, value 6*d.*; 1 half-crown, 5 shillings, and 1 sixpence, the goods and monies of John Lane Score.

JOHN LANE SCORE. I live with my mother, at No. 2, Elliot's Court, Old Bailey. On Wednesday week the prisoner came to my house to lodge and sleep—on Saturday morning I was called up and found he had gone—I missed my trowsers, waistcoat, and all these things—I had left them on a chair in the same room as he slept in—I slept in the same room.

MARGARET SCORE. I am the mother of John Ravenscroft. I went to call my son on the morning of the 2nd—his clothes were gone, and the prisoner too—I found him at eleven o'clock in the morning in the Old Bailey—I seized him, and asked him how he could do such a thing, he said it was a mistake—I took him to my house, and the policeman came—he took off my son's clothes which the prisoner had on, and put on his own—his clothes were not so good as my son's.

GUILTY.* Aged 24.—Transported for Seven Years.

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251. WILLIAM HILLIAR was indicted for stealing, on the 7th of December, 2 pence and 3 halfpence; and also, on the 9th of December, 1 shilling, 9 pence, and 3 halfpence; the monies of Edmund Smith Marshall, his master; to which he pleaded

GUILTY. Aged .—Confined Three Months; One Week Solitary.

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252. SAMUEL LANGHAM was indicted for stealing, on the 29th of November, 1 coat, value 3*l.* 10*s.*, the goods of Frederick Adland, his master; to which he pleaded

GUILTY.—Confined Three Months.

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253. WILLIAM CHARLES PORTER, *alias Charles Porter*, was indicted for stealing, on the 4th of December, 1 fowl, price 2*s.* 6*d.*, the property of Jabez Toms; and that he had been before convicted of felony.

JABEZ TOMS. I live in Belinda-street, Islington, and am a cow-keeper. I had a fowl safe on the 4th of December, with other fowls—I lost it—I have since seen it, and it is mine.

Prisoner. *Q.* How do you know it? *A.* By the colour and the feathers.

GEORGE TANNER. I live at Islington. On this day I happened to be at the back of the prosecutor's house, in Belinda-street—the prisoner threw down some grain—the fowl came and he took it up—I followed him to Cock-lane, and he took it out of his pocket—he went to Highbury-place, and hid it in the dung—I told the coachman, who told the constable, and he took him.

Prisoner. *Q.* Did you not say it belonged to a publican? *A.* No—you throw something down, and take the fowl.

JAMES DENT. I am the coachman. I went and found the fowl in the dung-heap—I had seen the prisoner just by there—the officer was sent for, and the prisoner was taken.

WILLIAM BENNETT (*police-constable N* 126.) I took the prisoner into custody.

Prisoner. I did not take it—I went up that turning and thought it was a thoroughfare—I had not a bit of grain or crum about me—I had not a farthing to get bread with.

JOHN SHEEKY. I produce this certificate of the prisoner's former conviction from Mr. Clark's office—(*read*)—the prisoner is the man that was tried and convicted.

GUILTY. Aged 74.—Confined Six Months.

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254. RICHARD RUTLEDGE was indicted for stealing, on the 27th of November, 2 waistcoats, value 9*s.* 6*d.*; 1 apron, value 6*d.*; 2 shillings, and 4 pence; the goods and monies of Stephen Barnes.

STEPHEN BARNES. I lodged at No. 24, High-street, Hampstead-road, with the prisoner. I got up on the morning of the 27th of November, and the prisoner was gone, and two waistcoats also an apron, and 2*s.* out of my pocket—this is my waistcoat—I did not see the prisoner till he was taken.

WILLIAM WILLIAMS. I am servant to Young and Luxmore, pawnbrokers, in St. Martin's-lane. I have produced this waistcoat—the prisoner pawned it on the morning of the 27th of November.

GUILTY. Aged 29.—Confined Three Months.

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255. RICHARD RUSSELL was indicted for stealing, on the 4th of December, 2 coats, value 30*s.*, the goods of Richard Lacey.

SARAH FIBLE. I am servant to Richard Lacey, of Tottenham-court-road, a fringe-maker. About nine o'clock in the morning of the 4th of December I answered a knock at the door, and the prisoner appeared—he asked for a bonnet which was left at the office to be dyed—I went and asked my mistress for it—I came back and he was gone, and two coats also—I have since seen them at the police—(*looking at them*)—these are my master's—they were hanging in the passage.

HENRY HEATHCOTE. I am servant to Mr. Lacey. I went after the prisoner, and saw him with the coats under his arm—I got an officer, and we took him.

Prisoner. He never took me with the coats—I heard a cry of "Stop thief," and ran into a house, and a person dropped them—I was bringing them down stairs, and he took me. *Witness.* Yes, he was up stairs on the first landing, but knowing that he ran down the yard with the coats, I ran into this house, and he was on the landing with them under his arm.

THOMAS COOPER (*police-constable E* 141.) I went up and found the prisoner and the coats.

The prisoner pleaded poverty.

GUILTY. Aged 19.—Confined Three Months.

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256. WILLIAM THOMAS was indicted for stealing, on the 6th of December, 1 coat, value 15*s.*, the goods of Joshua Lazarus.

JOSHUA LAZARUS. I had a great-coat at my shop door, in Aldgate, and last Wednesday I missed something from my door—I went after the prisoner, and saw him less than twenty yards from my shop—he had this coat with him—it is mine.

Prisoner. I did not have the coat—it was lying in the road, against a farrier's shop, as I was passing by. *Witness.* I found it in his hand—I do not know where he got it—it was at the side of my door—it could not have blown down—it was on a nail—it must have been pulled down—I think it might have dropped.

GUILTY.* Aged 18.—Confined Six Months.

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257. HENRY MOORE was indicted for stealing, on the 2nd of December, 1 half-crown, the money of Mary Elizabeth Deane, from the person of Frances Charlotte Deane.

MARY ELIZABETH DEANE. I live at No. 4, Rose-court, Great Tower-street. At a quarter before nine o'clock, on the 2nd of December, the prisoner came to the house and knocked at the door—we opened it—he said, "Mary Elizabeth Deane, a parcel from Bristol, 2*s*."—he said, "Make haste, my cart is waiting at the top of the street"—I gave my sister half-a-crown to get change—he followed and took it from her—I did not see the man—I heard the voice—the parcel contained half a sheet of old newspaper.

ELIZABETH DEANE. I am sister of Mary Elizabeth Deane. The prisoner brought the parcel and asked for 2*s*.—she gave me the half-crown—I gave it the child to get change.

FRANCES CHARLOTTE DEANE. I remember a person coming that day—he said, "A parcel from Bristol, 2*s*."—my sister gave me half-a-crown to get change at the public-house, and when I got outside the door they could not give me change—he took the half-crown, and said he would bring me back sixpence, and he went away—I am sure the prisoner is the person—I went to a lodging-house with the policeman and found him out—I said, "That is the man"—the prisoner said to the people he was lodging with, "Let me down," and he went down.

JOHN GERRARD (*police-constable H* 57.) I staid at the bottom while the two girls went up stairs—I wished them to go up and ask for the name of the prisoner—when they went up the light was put out—I heard somebody *sing* out, "Let me down"—I rushed in and found no one up stairs—I rushed down and found the prisoner making his escape over the back premises.

Prisoner. I have nothing to say to it—it is the first time I was ever before any one—I shall leave it to the Jury—I did not ask her for the half-crown.

GUILTY. Aged 28.—*Recommended to mercy by the Prosecutrix.*
Confined Three Months.

OLD COURT.—*Wednesday, December* 13*th*, 1837.

Third Jury, before Mr. Recorder.

258. WILLIAM BODELL was indicted for stealing, on the 6th of December, 14 lbs. weight of spelter, value 1*s*. 9*d*.; the goods of the London Dock Company.

MR. BALLANTINE *conducted the Prosecution.*

CHARLES ROBINSON DUNKINSON. I am a Custom's gate-keeper at the London Dock. On the 6th of December, between four and five o'clock in the afternoon, I stopped the prisoner at the Eastern gate of the London Dock, inside the gate—he was coming out—I searched him, and found this spelter concealed under his frock—I asked him where he got it— he said he had picked it up in the Eastern dock, supposing it to belong to nobody—there was none in the Eastern dock—I asked how he came to do it—he said he had a wife and three children, which caused him to do it—it is marked in red ochre " D," and stamped on the edge " W H"—he said he had worked in the docks for a few days.

JOHN SCOTT. I am warehouse-keeper of the Eastern quay of the London Dock. I have seen this spelter before at the police-office—there was spelter similar to this under my care, marked precisely the same—I examined the piles of spelter, and have every reason to suppose three plates are gone—some were gone marked similar to this —the top of the pile was clean, and the other piles were dirty, so that some had been recently gone—it was lying on the quay—anybody could get at it.

Prisoner. I picked it up—I thought it was no harm, as I saw it lying on the ground.

(The prisoner received a good character.)

GUILTY. Aged 58.—*Strongly recommended to mercy.*
Confined Two Months.

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259. JOHN BROWN was indicted for stealing, on the 9th of December, 1 muff, value 24*s.*, the goods of Richard Stone.

RICHARD STONE. I am a furrier, and live in Great Portland-street. On Saturday the 9th of December, a few minutes after nine o'clock in the evening, I was in the parlour at the back of my shop—I saw the prisoner open the shop-door, come partly in, and take up a muff from the shop window, and go off with it—I ran out after him—he went up Ridinghouse lane—I called " Stop thief, " after him, and he was stopped—I took him back to the shop—I picked the muff up in Ridinghouse-lane, and brought it back with me—I said I was astonished that a young man of his appearance should be guilty of such an act, and he had better get a broom and sweep the crossing than be guilty of dishonesty—he said he did not do it, that another person gave him the muff, but I had seen him take it.

Prisoner. A young man who was with me opened the shop-door and took the muff, he threw it into my hands, and ran away—I declare I did not take it myself. *Witness.* I saw him take it.

JOHN HARRISON (*police-constable E* 150.) I took the prisoner into custody, and took him to the Mary-le-bone station-house.

RICHARD STONE *re-examined.* That is my muff—the person who stopped the prisoner is not here—I saw the prisoner drop it, or throw it at the person who stopped him.

Prisoner's Defence. The other person was quite a stranger to me—I merely got into conversation with him as I was going home.

GUILTY.* Aged 19.—Confined Six Months.

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260. SOPHIA THOMAS was indicted for stealing, on the 7th of December, 1 sovereign and 2*s.*, the monies of George Earles, from his person.

GEORGE EARLES. I am an apprentice to a musician, and live in Great Russell-street, Bedford-square. About a quarter past four o'clock, on the morning of the 7th of December, I was walking in Holborn, near Gray's Inn, I saw the prisoner—she said it was a cold night, and asked me for part of my cloak—I gave her part—she came under it—I put it round her—we walked together in that way from Gray's Inn to the top of Southampton-street—I then found her hand in my pocket—I took hold of it, pulled it out, and took from between her finger and thumb a sovereign—I said I should give her in charge, for robbing me of a sovereign and some silver, and when I got to the station-house, I found she had got two shillings as well as the sovereign.

Prisoner. He gave me part of his cloak as far as Russell-street—he was going down there—I told him it was not my way home—I said I was close at home, would he come home with me—he said he had not money sufficient to satisfy me—I said it was a wet morning, and a trifle would be acceptable to me—he said, "I will tell you what I will give you; the cloak will cover you, I will give you 2*s.*; come down to the square"—I said, "If you do not wish to come home with me, there are plenty of houses of accommodation." *Witness.* It is not true.

Prisoner. He said if I did not go down to the square with him, I must return the 2*s.*—I refused to do so, saying I was ready to go to a house with him—he then said he would give me in charge—there were two policemen passing—he said, "I shall give you in charge to these men, for robbing me of half a crown"—he then put his hand into his pocket, and said "I have got 6*d.*—I charge her with robbing me of 2*s.*"—is it likely he would take a sovereign out of my hand, and leave 2*s.* in it? *Witness.* It is not true, I gave her nothing—I took the sovereign out of her hand—I did not then know she had the 2*s.*—I told the policeman I had lost 2*s.* 6*d.*, till I found the sixpence in my pocket—she kept walking the way I went—I was going home—I had been out to a quadrille party, where I had been to play an instrument.

WILLIAM CLARKE. I am a policeman. I was on duty in Holborn—I saw the prosecutor bringing the prisoner across the road to me—he said she had robbed him—I asked him of what—he said, "Of half a crown," and then a sovereign—he said, "Stop, I will look in my pocket"—he counted his money, and found it was only 2*s.*—I asked how it happened—he said he was foolish enough to throw his cloak round her, and in going along she took the sovereign and silver out of his waistcoat pocket, and that he had taken the sovereign out of her hand—I took the 2*s.* out of her bosom myself.

GEORGE EARLES *re-examined.* I took the sovereign from between her thumb and finger—she directly clapped her hand to her bosom, and must have put the silver there then. NOT GUILTY.

Before Mr. Justice Littledale.

261. RICHARD SADLER was indicted for burglariously breaking and entering the dwelling-house of Henry Bennett, about the hour of nine in the night of the 12th of October, at the liberty of Norton-Falgate, and stealing therein, 540 yards of velvet, value 282*l.*; 9 sovereigns, 5 half-sovereigns, 12 half-crowns, 51 shillings, 21 sixpences, and 15 fourpenny-pieces; his goods and monies.

MESSRS. BODKIN *and* DOANE *conducted the Prosecution.*

[illegible] BAKER. I am servant to the prosecutor, Mr. Henry Bennett.

who lives in Spital-square. The prisoner was his porter—I remember Friday, the 20th of October last—my young masters, Mr. Bennett's sons, dined at home that day at five o'clock—the prisoner and I took tea together that day, as soon as I could get the gentlemen's dinner up, but he did not stay to finish his tea before he went out—I had spoken about going out that day, and about one o'clock he asked me at what time I should go—he asked me that at one o'clock, and at five o'clock also—I told him at one o'clock that I was going as soon as I had cleared away the dinner things—I gave him that answer on both occasions—he had wished me, during the whole of the week, to go out with a friend of his—after dinner was over, the two Mr. Bennetts went out—that was a little before six o'clock—the prisoner and myself were then the only persons left on the premises—we had not finished tea at that time—he went out without finishing his tea—before he went out he said I was to be sure to be ready to go out at the time he should come back, and that would be seven o'clock—he went out as soon as the gentlemen went out, that was before six o'clock—he went almost directly they did—I cannot say to a minute—he returned about twenty-five minutes after seven o'clock—I was then ready to go out, all but my bonnet—he asked me if I would go to my late employers, where I had lived eight years, to ask for a situation for him—they live at King's-cross—I knew he was about to leave—King's-cross is a long distance from Spital-square—I told him I could not go, it was too late to go so far—it was a quarter to eight o'clock when I did go out, and I came in at nine o'clock—I shut the door after me when I went out, and tried it after me—I had told him that I should be back at nine o'clock, and he asked me to get something for supper—when I returned at nine o'clock I found the door still closed—the prisoner let me in, and I saw him in the scullery, soon after my return, cleaning some harness-irons—I went into the scullery soon after him—while I was in the scullery, and he was cleaning the harness, some man passed the window, and said, "I say, halloo, when you have done with that, hang it up"—I asked the prisoner who that was, and he laughed at me—that window looks out into the street, by the side of the street-door—the window was not open—the bar was down, but the shutters were shut—I could not see out, but I could hear the voice—I could hear distinctly what was said—there was a light in the scullery.

Q. Were the shutters in such a state as to enable any body outside to see what was going on inside? *A.* No; they could not see what was going on—they could see a light, and they might, if the shutters were not quite closed, see any one pass, but not distinctly see who it was—a person outside could not see a person in the scullery—it was the voice of a man that I heard—it is a very quiet place—I can easily hear what passes—I had noticed that the warehouse doors were both shut before I went out—they were as they usually are when my masters have locked them, and they were in that state, as far as I observed, when I returned, but I did not take particular notice—Mr. Bennett's sons returned about ten o'clock—I let them in, and they went up stairs to bed—I and the prisoner remained below in the kitchen till about twelve o'clock—the prisoner fastened the street door that night—I never had any thing to do with it—I used to light him to do it—I did not light him on this occasion—I was in the kitchen, and heard him fasten it.

Q. How came you not to light him on this night? *A.* He went up before I was quite ready—he went up in the dark—I followed him immediately after, and heard him fasten the front door, and put the bar down—we then both of us went up stairs to bed—I went into his room to turn

the bed down, and afterwards saw him close his room door—I got up about seven o'clock next morning—when I went out of my own bed-room, I called, "Richard"—he answered me, and said he should not get up yet—he answered me at once when I called him—I proceeded down stairs, and when I got down within four stairs, I saw the warehouse door open—that was the lower warehouse door, at the top of the kitchen stairs—I went up stairs, called the young gentlemen, and told them the warehouse door was open; and after that I called "Richard"—I called him three times—I was two or three stairs up from the gentlemen's bed-room door when I called him—he made no answer, and so I went quite up—I was eight or nine stairs from his room—I called him three times, and he did not answer me, and then I went up—I called out loud—finding I could not get an answer I opened his bed-room door, and told him to get up directly—he was in bed as usual—he came down in about one or two minutes after—he was then quite dressed, all but his boots—I do not think he had his boots on—I told him the warehouse door was open—he did not say any thing to that, but passed by me, and went down directly—he then called out for me to call Mr. Francis Bennett—I judged by his voice that he was then in the warehouse—the gentlemen then went down; and after they went down and found out what had happened, the prisoner said to me it was a strange thing how they got in, and he said, "They must have got in at the warehouse window"—I said, "How can that be?"—he said, "Why, I don't know I am sure; I opened the shutters myself, what are open."

Q. On the previous night had you observed a white bag any where? *A.* Yes; there was a white bag in the little room adjoining the kitchen—there were two bags, one black and one white—the prisoner used those bags—he generally carries the linen up to Compton-terrace every Thursday night—I had given him the black bag to carry it in on Thursday night—the white bag remained, and I saw it on the Thursday evening—I do not recollect seeing it afterwards, and I think it is lost—I cannot find it—I have not missed any thing else out of that room—the prisoner was in the habit of taking the goods out in those bags.

Court. *Q.* Were not you in the habit of using them also? *A.* No, I never used them in my life.

Mr. Doane. *Q.* Have you ever observed a file in the prisoner's possession? *A.* I have seen him use a file—I saw him use it about three or four weeks ago, and have seen him use it several times—it is a small file.

Cross-examined by Mr. Phillips. *Q.* When you first called the prisoner up, did not he tell you he did not intend to get up for half an hour? *A.* No—he said, "I shall not get up yet"—those were his very words—I am not aware that I ever said his answer was, "I shall not get up till the half hour"—I did not follow him up stairs, the night before, quite immediately—I was in the kitchen a minute or two—I never said I followed him up immediately, that I am aware of—I will not swear I have not said so—I have been in Mr. Bennett's service nine months on the 10th of next month—I found the prisoner in his service when I went there.

Q. Have the prisoner and you been good friends? *A.* No, we have not—we have had a great many quarrels about his being out so late at night, but he has been down on his knees, and begged me not to tell Mr. Bennett of it—he asked me for my company once, but I found he was engaged to a great many—he wished to pay his addresses to me—I did not [illegible] him at once—I told him I should see how he went on—I have told [illegible] at many times—it was not long after that I found out he wr

engaged to a great many—he said he was not—I told him I should not have his company, and he asked me again—I never thought any thing of him particularly—I heard he was engaged to one or two—he told me himself there were a great many came after him, but he did not think any thing of them—he said Mr. Bennett's nurse-maid came running after him to the house—I have seen her come after him.

Q. How soon after you told him you would see how he went on, did you find out his engagements to a great many others? *A.* I knew it before, when he asked me for my company—I knew he was engaged, and told him so—by seeing how he went on, I meant providing he gave them up—after that Elizabeth Lester came to see him, and several others—I never cared any thing about him—Lester is Mr. Bennett's nurse-maid—she used to come, and she said she would come running after him unknown to master—I did not tell my master of her coming—I did not wish to make mischief, and I gave him up—I would have allowed him to keep company with me if he had given up the others, if he went on in the way I should wish.

Q. Is it true that you never cared any thing about him? *A.* I did not like his way of going on—he was out sometimes all night, and sometimes till three or four o'clock in the morning—I have had quarrels with him about other women—he was unwell once while I was in the house, and had twelve leeches on—I put them on myself, and attended on him for two nights.

MR. DOANE. *Q.* Did you do that with your master's knowledge? *A.* Yes—I sat up with him two nights.

MR. PHILLIPS. *Q.* Now attend—did he not tell you in the beginning, if you did not go out that night that he himself should go out again? *A.* Yes—when he came home, at twenty-five minutes after seven o'clock, he said, "Now are you going; if not, tell me, and I will go out again?"

MR. DOANE. *Q.* How long did you live in your former place? *A.* I did not live there a great while, on account of the family being unfortunate, and failing—the situation before that I lived eight years at—I am still in Mr. Bennett's service, at his private house, No. 26, Compton-terrace—that is where Elizabeth Lester lived, who came after the prisoner.

HENRY BENNETT, JUN. I am one of the prosecutor's sons. His Christian name is Henry—he has a house at No. 10, Spital-square—it is in the liberty of Norton Falgate—he carries on the business of a silk and velvet manufacturer, and resides himself at Islington—I and my brother live in the house of business in Spital-square—our premises are at the corner of the square, and are entered by one door—there are two warehouses on the ground floor, a front and a back one—as you enter the street door, the door leading into the front warehouse is on the left hand—it may be about two yards from the hall door, not more—if you proceed to the end of the passage and turn to the left by another passage you come to the door which opens to the back warehouse—there is a door inside opening between the two warehouses—after business is over we lock the front warehouse door inside—there is a spring to that door which rings a bell if opened inward—we leave the key in the lock after locking it inside—I locked up the premises on the night in question—I did as I have stated that night about half-past five o'clock—I locked the front warehouse door inside, and left the key in the lock—I then proceeded into the back warehouse—there are two iron safes there—one safe is inside the other—I locked them both—there is a drawer inside the inner safe—that was locked,

of it was in my father's possession—I saw that the window-
bolts about the premises were all secured—I then locked the
use door on the outside—that door leads into the passage to
h communicates with the hall—there is only one entrance to
I locked up the key of the back warehouse door in one of the
ur bed-room—my brother and I sleep in the same room—there
to the safes—I deposited them in the back of a till belonging to
the upper warehouse on the first floor—the upper warehouse is
k warehouse—there is a communication from one to the other
taircase—there was money kept in the desk where I put the
rawer is about a foot and a half long—I should think it would
in order to get at the keys to pull the drawer out nearly to its
gth—we dined that day at five o'clock—I locked the ware-
I had dined—I had been round the greatest portion of the house
on about a quarter of an hour before I went to dinner (about a
re five o'clock)—that was after business had closed—I cannot
whether it was after the front door had been shut—I went over
part of the premises—it was to look for something that was
e foreman and a lad accompanied me—it was quite light at the
ave work people who come to our premises with work and to
ry come to the back part of the premises, on the first floor, over
rehouse—I searched all the front part of the premises and the
ion of the back—I searched the part the workmen are in the
ning to—the dwelling-house is not entirely separated from the
business—they are on different floors—there is a door as you
which you have to pass through before you leave the business
get to the dwelling-house part—it has a spring which causes it
tself—there is also a spring to it which rings an alarm-bell—I
the parts of the premises below that door on this evening, and I
l any person in the place then—my brother and I went out
cked up the warehouse—it might be about twenty minutes to
—we let ourselves out—I found the outer door closed when we
nd I closed it after me, I am quite positive—my brother and I
lly in the habit of going out after dinner, and usually returned
o'clock—we returned rather before ten o'clock that night—
Baker let us in—I noticed that the front warehouse door was
I came in—my brother and I proceeded to bed directly—we
our bed-room door—I was not disturbed at all in the night—I
l about seven o'clock by Baker, and on proceeding down stairs
front warehouse door open, and the spring inside communicating
l, turned up—the key was in the lock—it did not appear to have
orced, but as if it had been opened from the inside—I had no-
oor closed at ten o'clock the night before.

SUSANNAH BAKER. *Q.* Which warehouse door was it you
at seven o'clock in the morning?—*A.* The warehouse door at
e kitchen stairs—that is the back warehouse.

BENNETT *continued.* *Q.* Did you try the front warehouse
you returned at ten o'clock?—*A.* I did not—it might have
ed, but it was closed at that time—the prisoner was down
the morning—after I had ascertained what had been done to
mined the iron safes, and found the doors of both the outer
open—there was not the least appearance of force having
—I found a knife stuck in the drawer of which

my father had the key—I did not find a key in that lock—I saw a small key lying on the counter, but it was not in the lock—on applying that key to the lock of the drawer I found it would enter but not turn—the drawer had not been opened—that small key appeared to me to have been recently filed, so as to enable it to go into the key hole—I have the key here, and the drawer too—this does appear to me to have been recently filed—it goes into the key-hole, but will not turn—I found some skeleton keys, crow-bars, and dark lanterns spread about—I then looked at the door of the back warehouse, which was wide open—there did not appear to have been any force used to that door—I then proceeded to my desk in the upper warehouse, and found the top of the desk forced off and prised up, by which means the drawer could be got at, but the desk had not been opened—that would enable the parties to get the keys of the safes from the drawer—there is a flap to the desk itself—that was not interfered with—there was about 20*l.* or less in the fore part of that drawer—the greatest portion of that was gone—there was a half-sovereign, a fourpenny-piece, and some copper left—I found the keys of the safes in the same part of the drawer as I had left them—I brought the key of the lower back warehouse down with me—I had it in the drawer of my bed-room, where I had put it the evening before—I found that drawer locked as I had left it.

Q. Could any person, after ten o'clock that night, become possessed of the key of the back warehouse without coming into your bed-room, and by some means opening that drawer and taking the key out? *A.* No—I found that key in my bed-room and the drawer locked—there was another desk opposite mine, in the warehouse, there is one flap to that desk—there are four desks in the lower back warehouse—there was no other desk interfered with, except the one which had the money and the keys of the safe—eighteen pieces of velvet were gone—they were worth about 280*l.*—they were kept on the floor close to the front warehouse door—they were in boxes—some in a row, and others piled on them—they were velvets of an expensive kind—there were other boxes containing inferior velvets—they were in separate boxes—there were velvets laying about the counter and warehouse, out of cases altogether—none of the inferior kind, either in cases or open were taken away—there was only one piece kept in each box—there were about two dozen boxes or rather more taken—the eighteen boxes which had contained the velvet which was taken away, were left empty—I should think there was about one hundred boxes of velvet altogether in the warehouse—those we lost were some of the best—our back premises are shut in by high walls—I did not find the least appearance of anybody having entered at the back—I examined the windows and fastening in the front of the house, and there was not the least appearance of violence having been used any where—the prisoner had been in my father's service about three years—he was the porter.

Q. Would he in his employment have the means of knowing where the money was kept and the keys, and the general system of placing the goods in boxes? *A.* He would—there is what is called a Number-book kept in the warehouse—by referring to the numbers there a person can see in what boxes the best velvets are kept—the prisoner would have an opportunity of looking into that book if he chose—my father had given him notice to quit his service—his time for leaving would have expired on the Wednesday after this Friday—we had a dog kept on our premises—it is between an Italian greyhound and a terrier—he runs about the premises—he is a very small dog, but very sharp indeed—if the bell rings

or any noise is made he will come up stairs and bark directly—we have never heard any thing of the property.

Cross-examined by Mr. Phillips. *Q.* The thieves did not encumber themselves with twelve boxes? *A.* No, they did not—they are pasteboard boxes—they would be rather an encumberance—it is impossible to say how many workpeople come backwards and forwards to our house in the course of a day, perhaps we may have as many as thirty, and sometimes perhaps fifty—we have a foreman and a lad.

Q. You say the prisoner had notice to quit the service, do you know whether Susannah Baker had made any complaint of him? *A.* She complained to me once or twice—he would not let her out on Sunday—I have never found strangers up stairs when I have gone up—I have seen them at the top of the stairs by the warehouse door—they were strangers to me.

Mr. Bodkin. *Q.* Would a bag be a convenient thing to carry the goods away in? *A.* Yes.

Francis Bennett. I am the brother of last witness. I dined with him on this day, and returned with him about ten o'clock at night—next morning I was alarmed by the witness Baker—I came down first, and observed the prisoner standing at the street door—the front door was unfastened—it had been fastened by a bolt at the top, another at the bottom, a chain in the middle, and a bar which goes into the ground in the middle—it is a great cross-bar—there was also a lock to the door—the lock must have been undone, because the door was ajar, but I did not go to the door—the removing of those fastenings would make a considerable noise—I can always hear them removed in my bed-room of a morning—I have always heard them—I did not hear them on that Saturday morning—I had seen some inferior velvets on the counter of the back warehouse on the Friday evening before I had dined—I saw them on the following morning—they were in the same state then, except that two pieces of paper, which were put on the top to keep the dust off, were on the ground—that would enable a person to see the quality of them—I do not know who opened the warehouse shutters that morning—I did not see my brother open them—I did not hear any noise from the dog that night—it always used to bark very loud when any strange noise occurred, or any stranger appeared—when the policeman came we found various crow-bars and other things—the policeman is ill—I have seen one of the keys that was found—that key goes into the lock of the drawer exactly—it has been filed.

Cross-examined. *Q.* Is not this small key a kind of skeleton key? *A.* I have never seen such a key before.

Susannah Baker *re examined.* *Q.* Do you remember, when you came down on the morning of the robbery, whether the prisoner said any thing to you about the state in which he found the hall door? *A.* Yes—he pointed to the bar of the door, and said, "This was up"—that was not when I first came down in the morning—it was while the policeman and the gentlemen were in the warehouse—the prisoner said to one of the young gentlemen, "This door is open, Sir, and the bar is up"—he was standing by at the time—he was speaking of the street door—the bar lets down into the floor—when it is up it hooks into the middle of the door.

Francis Farques. I live at No. 123, Church-street, Shoreditch. On Friday night, the 20th of October, about twenty minutes or half-past seven o'clock, I was in Spital-square—I know Mr. Bennett's premises—I saw [illegible] about that time that evening near his house—they were standing

still—Mr. Bennett's is the corner house—they were on the opposite side, between the road and the footpath leading to the door—being a corner house, it has one side without a door to it—they were the same side as the street door is on—I think they were about fifty yards from the street door—I cannot say how wide the street is—there is room enough for two carriages to pass—they were on the footpath leading to the square, on the side leading to Mr. Bennett's door—the post and steps were between them and the door—I would sooner say they were less than fifty yards from the door than more—I heard one of them say, "I will make it all right"—one of them then left the others—whether it was the man that spoke I do not know—he went to Mr. Bennett's door—I have no doubt the prisoner is that man—I saw him before the Justice—when he went to the door I went on, leaving them there—I did not see whether he went in or not.

Cross-examined. *Q.* Have you always said you had no doubt of him? *A.* I have said I believed it was the prisoner, but I have no doubt—I believe I have stated what I stated before—I think I have always said I had no doubt—I have said I had no doubt but what he is the same man—I always said I believed him to be the same man.

Q. Have you always said you had no doubt—do not you know you have not? *A.* No—I think I have always said it—I have stated that I always thought he was the man.

MR. BODKIN. *Q.* Have you always said you believed him to be the man? *A.* I have—I never expressed any doubt about his being the man.

WILLIAM ANTHONY. I am a private watchman to the inhabitants of Spital-square. I was on duty on Friday night, the 20th of October—I have a watch-box opposite Mr. Bennett's house—I went on duty at nine o'clock that night, and left at six o'clock next morning—I am about a quarter of an hour going my beat.

Q. During the time you were on duty, from nine to six o'clock, did you see any persons go into Mr. Bennett's house? *A.* No, neither in nor out—nothing attracted my notice.

Cross-examined. *Q.* You will not venture to swear people did not go in or out? *A.* I will say nobody went in or out during the time I was present—I was gone my rounds when the Mr. Bennetts went in—I cannot say how many might have gone in while I was on my round.

GEORGE HADLEY. I am a smith. I have examined the door of the back warehouse at Mr. Bennett's—I have examined the lock of it, and also the lock of the outer iron safe—in my judgment, neither of them have been opened by a pick-lock.

ANDREW CASEY (*police-constable H* 94.) I was on duty on Saturday morning, the 21st of October—my attention was not directed to Mr. Bennett's premises—I only tried the door in the usual way—I remember doing so that morning before the clock struck six—I found it secure—every night and morning, before I left my beat, I tried that and other doors in the square—I did not make a great deal of noise in trying the door—I have frequently heard the dog bark when I have tried it.

Cross-examined. *Q.* Were you before the Magistrate? *A.* No.

(*Witness for the Defence.*)

HENRY HATTESWELL. I am a musician, and live in George's-place, Holloway. I have known the prisoner eight years—he is a very respectable man—I have trusted him with property of my own.

MR. BODKIN. Q. Has your acquaintance with the prisoner continued

down to the time he was taken on this charge? *A.* Yes, I was in the habit of keeping company with him at Mr. Bennett's house—I have been there sometimes from seven o'clock in the evening till eight, and sometimes from five till eight o'clock, but not later.

Q. Have you ever been in trouble? *A.* Yes, I once took the benefit of the Insolvent Act, in the Marshalsea—I saw Mr. Bennett on the Saturday after the robbery, and proposed to take him to Petticoat-lane, to show him some acquaintance the prisoner had there—that was in consequence of Baker stating to Mr. Bennett, that she did not know where the person lived, who was as much an acquaintance of hers as the prisoner's.

Q. Did you know that he had a female acquaintance living in Petticoat-lane? *A.* Not till she told me; she used to lend her novels to read—she kept a library—I have had some conversation with Baker about the robbery, in the presence of the two Mr. Bennetts—I have not had any conversation with her when they were not present—I will swear that—I beg pardon—once since, at Worship-street, on the day of the examination.

Q. Take care how you answer this question—on your solemn oath, did you not say to her that you could at any time excuse yourself from taking a false oath? *A.* No, never, nor any thing of the kind—I had the conversation with her at Worship-street, on the day the depositions were given in the officer's lodge—I did not say any thing to her about an oath—I never at any time said any thing to her about taking an oath—never in my life—I have kept the house I now live in, for 20 years—I go to quadrille parties—I became acquainted with the prisoner through his brother-in-law, who is an intimate acquaintance of mine.

Mr. Phillips. *Q.* Did Baker say any thing to you respecting the prisoner? *A.* She said she was very much surprised he should act so villainously to her after seducing her after she had been three days in Mr. Bennett's house.

(Several witnesses deposed to the prisoner's good character.)

NOT GUILTY.

Before Mr. Baron Gurney.

262. WILLIAM CARNEY was indicted for feloniously breaking and entering the dwelling-house of James Charles Money, on the 8th of December, and stealing therein 1 scent-box, value 4*s.*; and 2 breast-pins and chain, value 5*s.*; his goods.

James Charles Money. I am a jeweller, and live in Smithfield-bars, in the parish of St. Sepulchre's. I did not miss this property till a policeman came last Saturday morning, the 9th of December, and made inquiry—I then examined my stock which was near a hole cut in the window, and missed a scent box—I did not miss the pin till it was shown to me—the hole must have been made in the glass on the Friday night—it was whole in the afternoon—I cannot say positively that I had seen the prisoner in my shop that day—I had seen a boy like him about eight o'clock on Friday evening—he came and inquired if I sold steel pens—he did not buy any—I did not discover the hole till I took the shutters down next morning—it is a hole out of the corner, rather more than an inch, quite large enough to take a scent-box out—I had several breast-pins of the same description as these near the hole, and could not positively

Tod Hunter. I am a policeman. On Saturday morni

last I went to a beer-shop in Turnmill-street, Cow-cross, about half-past nine o'clock, and saw the prisoner in a back room, the door of which was open—I went into the room—before I entered the room the prisoner saw me, and went from the middle of the room towards the side—I went into the room and asked him if he had not slept at a house in Field-lane—he said he had not—I said a robbery had been committed—he said he knew nothing of any robbery—I searched him, but found nothing on him but an old leather pouch—on hearing something from the landlord we searched the room and another room—I did not find the property myself, but my brother constable found it in the room the prisoner was in—I saw him find a parcel tied up in a piece of old handkerchief in the corner of the room, between the seat and the wall, at the back of the seat—it contained a scent-box and a breast-pin, with another small pin attached to it by a chain.

HENRY BROOKMAN. My father keeps the Lord Melbourne beer-shop in Turnmill-street. The prisoner came there on Friday night between nine and ten o'clock, and asked me to take care of a little parcel for him which was tied in a dirty blue handkerchief—I did so—he came again next morning about half-past eight o'clock and asked me for it, and I gave it to him—that was about half an hour before the policemen came—they saw him in the room, and searched about and found it behind the seat—I saw it produced—it was the same parcel as I had given the prisoner.

Prisoner. It was six halfpence that I gave him.

GEORGE CRAWLEY. I was with Hunter, and found the parcel which I produce—it was in paper and in a rag.

JAMES CHARLES MONEY *re-examined.* Here is a scent-box and breast-pin attached to another with a bit of chain—they are mine.

HENRY BROOKMAN *re-examined.* I saw the parcel—I am sure it was not six halfpence he gave me to take care of—I felt the weight of it.

Prisoner's Defence. I had threepence in halfpence in a handkerchief—I left them with him, and in the morning when I came I bought a penny roll and an egg for breakfast, and had a farthing left.

NOT GUILTY.

Before Mr. Baron Gurney.

263. MICHAEL MULLINS was indicted for stealing, on the 2nd of November, at St. Marylebone, 7 handkerchiefs, value 1*l.*; 5 sovereigns and 2 £10 Bank-notes, the goods, monies, and property of Gabriele Rosetti, in his dwelling-house; to which he pleaded

GUILTY.

(John Corbett, a coal-merchant; William Nicholls, silversmith, Buckingham-place, Fitzroy-square; Thomas Scott, gentleman; Thomas Powell, licensed victualler, Buckingham-place, Fitzroy-square; —— Callaghan, auctioneer and appraiser, Fitzroy-square; —— Powell, attorney's clerk; Thomas Fitzgerald, gentleman, 33, George-street, Bloomsbury; and Margaret Stedman, 30, Cirencester-place, deposed to the prisoner's good character.)

Recommended to mercy by the Prosecutor.—Transported for Ten Years.

Before Mr. Baron Gurney.

264. JAMES WALTON was indicted for stealing, on the 8th of December, at St. James, Westminster, 9 engraved copper-plates, value

94*l.*; and 1 engraved steel plate, value 10*l.*; the goods of Henry Graves and another, in the dwelling-house of Richard Hodgson.

Henry Graves. I am a publisher and printseller, in partnership with Richard Hodgson, in Pall-mall. On the 8th of December I received information, and missed nine copper plates and one steel plate, which I had had in my possession—they were for a work of Sir Joshua Reynolds, in the course of publication—they would cost upwards of one hundred guineas to replace—from information I received, I went to Mr. Morris, in Holywell-street, Strand, and found the plates there—that was last Friday, the 8th of December—I have no recollection of the prisoner—the plates had been returned from the printer on the 5th of December, and the last time I saw them they were lying on the counter in my shop.

Henry Montrion. I am in the employ of Mr. Dugdale, a bookseller. I superintend a shop which he has at No. 94, Drury-lane—on the 8th of this month I was sitting in the shop, and the prisoner came in—I had met him in the street before, and knew him as a collector of books—he said he had some copper plates, and undid a parcel and showed them to me—he asked if I could inform him where he could dispose of them, or ascertain the value of them—I looked at some of them, and said I did not know the value, nor where to dispose of them—he packed them up, and would have gone out, but Mr. Dugdale came in and asked him what he had there—he showed them to Mr. Dugdale, and he delivered them into his hands.

Prisoner. *Q.* How long have you known me? *A.* Four years—I have bought books of you occasionally—it is some time since I bought any, but I have bought books several times of you—I did not buy one on Friday morning—I know a person named Mason, and Hart—I have bought books of them, as well as others.

Q. I believe you were threatened with a prosecution for buying the *Sporting Magazine*, which you knew to be stolen? *A.* I knew nothing relating to it—I was never prosecuted, nor threatened with a prosecution—I have been in the Royal Marines—I was not discharged for using seditious expressions—I have a pension now.

William Dugdale. I came in while the prisoner was with Montrion in my shop—he was in the act of tying up the plates—(I went in from information I had received)—having forbidden him the place I said, "What are these?"—he said, "Nine copper and one steel plates"—I said, "How have you been making these?"—he said, "I have been making them with my own hands"—I looked at them, and saw they were valuable—I asked him what he wanted for them—he said, 30*s.*—3*s.* each was not too much—I told him I could not spare 30*s.*, and if I could I should not like to have them on the premises—he replied, that if he could not sell them, he thought the better way would be to take them home, hammer them up, and sell them for old copper—I said it was a pity to throw away such valuable property to sell for old copper, and rather than he should do that I would see what I could do with them in the way of disposing of them—having an acquaintance with Morris, in Holywell-street, I sent for him to know the value, and in the mean time the prisoner said he must have 1*s.* as he wanted something to eat, and he would leave them if I would lend him 1*s.*—I lent him 1*s.*—he said he would call in a quarter of an hour, which he did, and I introduced Morris to him—it was agreed that he should call at Morris's house and make a bargain about them—he left my house, leaving the plates in my possession—they were not opened in the [illegible]'s presence, but they were given to Morris, who took them away

in the prisoner's presence—he was to take them home, ascertain the value, and the prisoner was to call in a quarter of an hour, when Morris would tell him if he would buy them, and at what price—Morris gave information to the prosecutor.

Prisoner. Q. I believe you have purchased many things of me? *A.* Not many—I have several—not within the last fortnight—I have not bought the Pickwick Papers of you—I forbid you the place, in consequence of your having been sentenced in October Sessions for a similar offence.

Q. You have been prosecuted yourself, I believe twice, at the instance of the Society for the Suppression of Vice? *A.* More than that, but never for any felony.

Prisoner. He told Montrion he thought it not safe himself to buy any thing of me, but through the medium of him. *Witness.* I told Montrion, that having forbidden him the place, in consequence of his conviction, I would have nothing more to do with him, and was astonished at his audacity in coming to my shop—I gave him the 1*s.* to prevent the plates being broken up.

EDWARD JOSEPH MORRIS. I am a printer and print publisher. On Friday last I was sent for by Mr. Dugdale, and saw the prisoner at his shop—I removed the plates, and took them home, and told the prisoner to call on me in a quarter of an hour—when I examined the plates I suspected they were not honestly come by, being valuable, and when the prisoner came I was denied to him—I hastened out of my private door and gave Mr. Graves information—I brought him into my shop, and gave the prisoner into custody with the plates.

Prisoner. Q. Have you been in the habit of printing for Mr. Dugdale? *A.* Certainly.

MR. GRAVES *re-examined.* On receiving information I went to Morris's shop—he went up stairs and brought the plates down—I knew them to be mine—I saw the prisoner when I came into the shop, and heard the conclusion of the bargain—I had waited an hour and a half up stairs, and when the prisoner came I came out at the private door and re-entered the shop—I heard the conclusion of the bargain, which was that he was to give 1*l.* for the ten plates—12*s.* that day and 8*s.* the next—I desired Morris to call him into the back place, which he did—I followed and asked him where he got the plates—he said he bought them somewhere in the New Cut, and if I would accompany him he would take me to the person—I insisted on calling in a policeman—I sent Mr. Dugdale for one, who was on the premises, and he came and took the prisoner and the plates.

CORNELIUS WHITE. I am a policeman. I took the prisoner into custody at Morris's, with the plates, which I produce.

JOHN GIBBS. I am porter to Mr. Lee, a copper-plate printer. I know these plates—I saw them last on Tuesday, the 5th—I packed them up in our warehouse, with 50 sets of prints, and left them with Mr. Graves.

MR. GRAVES *re-examined.* They are the property of myself and partner—it is a portion of a work of 300 plates, and these ten would spoil the set—this number was only published in the present month.

Prisoner's Defence. I an innocent of stealing the plates—I was entrusted with them by a person whom I have long known—I have known the witnesses Montrion and Dugdale—they were in the habit of buying goods of me—I offered them to Montrion, who said he could not do any thing with

me—while talking, Dugdale came in, and, having looked over them, said he thought they would suit a person whom he knew—he sent, and told me to call again, which I did, and was introduced to Morris, who told me to call on him, which I did, and, having some conversation with him, was taken into the back room, when he told me they were stolen; and introduced me to Mr. Graves, who claimed them as his property—I offered to take them to the person I had them of—Mr. Graves admits he has no knowledge of me—on being taken into custody I offered to show the policeman where I had them—I could have no motive in deceiving him or Mr. Graves—I was in the greatest distress, my wife and daughter having had no sustenance from Wednesday night till Friday morning, and they are both patients of the Surrey Dispensary—under all these circumstances, I humbly trust you will perceive that I had no hand in stealing them—I was induced to try and sell them to get a trifle to procure bread for my distressed wife and child, without any criminal intention—the character of the witness Dugdale is very well known—from what I have stated I hope you will consider the circumstances—I leave my case in your hands.

Mr. Graves *re-examined.* A book-collector would know these were valuable I should suppose—our names are under one of them—Mr. Hodgson resides on the premises.

GUILTY.* Aged 26.—Transported for Fifteen Years.

Before Mr. Justice Littledale.

265. SARAH BUGDEN was indicted for stealing, on the 18th of November, 1 watch, value 10*s.*; 2 seals, value 1*l.*; 1 half-crown, 12*s.*, 2 sixpences, and 1 fourpence; the goods and monies of Joseph Henry Hedge; to which she pleaded

GUILTY. Aged 23.—Confined Six Months.

Fourth Jury, before Mr. Recorder.

266. ROBERT ALLEN and THOMAS MELLOY were indicted for stealing, on the 6th of December, at St. Gregory by St. Paul, 1 ring, value 63*l.*, the goods of Christopher Walton, in his dwelling-house.

Christopher Walton. I live at No. 24, Ludgate-street, in the parish of St. Gregory by St. Paul, in the City of London. I know the prisoners by sight—I found them at my shop on Wednesday evening, the 6th of December—my young man told me they had taken a diamond ring, and placed another instead of it, and I gave them in charge.

William Fisk. I am in Mr. Walton's service. About five o'clock last Wednesday afternoon, the two prisoners came and asked to look at some diamond rings—I showed them some small ones—they said they wanted to see some larger, which I showed them—on turning my eye I saw there was a tray of brooches there, and I put it into the window—I turned, and then a man came in and asked to look at some tooth-picks—our boy went to speak to him, and I saw Melloy go to the door—Allen was then looking at the rings—the other man went out—Melloy then returned, and persuaded Allen not to have a ring to-night—I had shown him one ring at sixty guineas, and saw a common rose-diamond ring in its place—I said, "It is very strange, there was a sixty guinea ring here, and now I see this beastly thing"—I requested they would wait till Mr. Walton came.

Cross-examined by Mr. Doane. *Q.* You saw Melloy at the door? *A.* When I put the tray of brooches into the window, the man came

for the tooth-picks—I left the diamond ring tray before the prisoners while I put that tray into the window—the ring we lost is called a cluster ring—a brilliant cluster—Melloy urged Allen to go, after the tooth-pick man had left, but Allen still continued to look at the rings.

COURT. *Q.* They bought nothing? *A.* No.

JOHN BOSHER. I was in the shop at the time the third person came in to look at the toothpicks—he walked to me and asked me to show them—he left the door open—I went to shut it—I then came round the counter and showed him the toothpicks—I saw Melloy go to the door and open it—I then went to serve my customer—he took up a toothpick and asked the price—I said, "2*s.* 3*d.*"—he put it down, said, "Wait a bit," and hastily went out, passing Melloy at the door, and then Melloy came back to Allen, and kept urging him to go.

CHARLES GIBSON. I live at No. 71, Bishopsgate-street Within. I lost a ring on the 5th of December, and found it in Mr. Walton's possession—I had seen the prisoners at my house the day before—they came in and asked to look at some diamond rings—I showed them some—they bought none, but when they were gone I missed this, which is the one that was left at Mr. Walton's.

Cross-examined. *Q.* This is merely a rose diamond ring? *A.* Yes, it is worth 5*l.*—I had never seen the prisoners before—this ring is my manufacture—I missed it immediately after they left.

WILLIAM STANTON (*City police-constable* 29.) I was called in, and found a £10 note, a £5 note, and 14*s.* 6*d.* on Allen, but no ring—on Melloy I found four sovereigns and 7*s.*—I searched them minutely in the back room—I found nothing more about them—I did not stop the tooth-pick man—I came after he was gone.

JOSEPH MARTIN. I am Inspector of the City-police. The prisoners were brought to the station-house about five o'clock on Wednesday—I asked where they lived—Allen said he lived at Hoxton-square, and the other said No. 1, Tabernacle-walk—they were both false addresses—one afterwards said that he lived at Webb-square, which I found to be true.

ALLEN*—GUILTY. Aged 23.
MELLOY*—GUILTY. Aged 23. } Transported for Fifteen Years.

See page 193.

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267. WILLIAM JOHN LIGHTFOOT was indicted for stealing, on the 29th of December, 5 printed books, value 30*s.*; 1 picture, value 4*s.*; and 16 pieces of foreign coin, value 9*s.*; the goods and monies of William Evans.

WILLIAM EVANS. I live at No. 23, West-street, Somers-town. I am a barman, but am out of employ—I lived at the corner of Plumtree-street last—I employed the prisoner to bring my box from my mother's, No. 23, West-street, and told him, when he brought it to Devonshire-street, to keep it there, as I was going to leave—when the box was brought to me I examined it, and missed five books, a picture, and sixteen pieces of coin—I had locked the box before I left it, and it was brought to me, locked—I had not lost the key, I had it with me—I afterwards saw the prisoner in Arlington-street, at a person's named Branch—I said he was a pretty fellow, to serve me in the manner he had, and told him I had missed these things—he said he could not help it—that he was going to send to his friends, and he would bring my things back—I said if he did I would forgive him, but he did not bring them back, and I gave him in charge.

Cross-examined by MR. DOANE. *Q.* Did he not say he was sorry? *A.* Yes, and he afterwards told me he had not got any answer from his friends

—he then appointed me to see him in the evening—I went, and he said he had not heard from his friends, and he wished me to go in the morning—I waited for his answer till that evening—I then gave him in charge—he is a barman—three of the duplicates were found on him.

JOHN BUCKINGHAM (*police-constable D* 103.) I apprehended the prisoner in Arlington-street. I charged him with stealing the books and other articles from the prosecutor's box—he said he was very sorry, but if he had time he would replace them—I took him to the station-house, and found three duplicates and a key on him.

Cross-examined. Q. That was not a key of the prosecutor's box? *A.* No, a different key—I found nothing else on him.

RICHARD WAYLETT. I am shopman to Mr. Fairbairn, a pawnbroker in Lisson-grove. I have three books—these duplicates were given for them—I took the pledge in, but have no remembrance of the prisoner—it was a man who called himself Charles James—the articles were pawned on the 20th.

WILLIAM EVANS *re-examined.* I demanded the box back on the 29th of November, and got it on the 30th—there was no appearance of force having been used to the box—I cannot say how it could be opened.

NOT GUILTY.

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268. NATHAN TYSON was indicted for stealing, on the 4th of December, 1 muff, value 2*l.* 4*s.*, the goods of Elizabeth Sarah Spence, from her person.

ELIZABETH SARAH SPENCE. I am single, and live in Artichoke-row, Mile-end. On the 4th of December I was in Mile-end-road, about eight o'clock in the evening, near Cannon-place, and saw the prisoner—he snatched my muff from me, and ran away with it—I called "Stop thief," and he was stopped—I saw him in the policeman's custody—a boy brought me my muff.

Cross-examined by MR. DOANE. Q. Was it quite dark? *A.* Yes—there were several persons in the street when the alarm of "Stop thief" was given, not before he ran up the street—he rushed out suddenly on me, and took my muff away—I never saw him before—it was done quite on a sudden—he was standing to take it, and rushed out suddenly as I passed the end of the street, and ran away with it—it was at the corner of a street—he ran up the turning into another street—I followed him as fast as I could—he was running as quick as he could—I next saw him in custody—I am not mistaken in him—I am quite certain he is the man—I know him by seeing his figure as he snatched my muff away—I am positive of him—I looked at his figure—he gave such a sudden snatch I could not hold the muff—it was his figure I knew him by when he was in custody—I am quite certain of him.

COURT. Q. Did you see his face as well as his figure? *A.* Yes, I did—the lamps were lighted—I could see his face and figure, and appearance generally—I noticed his appearance in struggling for my muff—I have not the least hesitation in saying on my oath he is the man—he was brought into my presence about a minute after he took it, and within fifty yards of the spot.

HENRY CRESSWELL. I am a shoemaker, and live in Edward-street, St. George-in-the-East. I was going down Cannon-place on the evening in question—a man rushed against me—Miss Spence cried out to stop him—
t attempt to stop him till he got a pace from me—she then c
"Stop thief"—I followed him, and lost sight of him for a

half a minute—when I came back he was in the hands of the policeman—I am certain he is the man she had called on me to stop.

Cross-examined. *Q.* What time was it? *A.* Between eight and nine o'clock, I think—nobody was with me—I was coming down Cannon-place—as I ran one or two more ran.

JOHN FORWARD (*police-constable K* 181.) On the night in question I heard a cry of "Stop thief"—I saw the prisoner running at a furious rate—he came down Reading-street, and I stopped him, hearing the cry of "Stop thief"—he was a very short distance from Cannon-place—I asked him what he was doing—he told me his brother was running after him—some people came up, and said he had stolen a muff from a lady.

MISS SPENCE *re-examined.* This is my muff.

GUILTY. Aged 18.—Judgment respited.

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269. JOHN MILLER and GEORGE PLATT, were indicted for stealing, on the 5th of December, 1 watch, value 3*l.*; 1 seal, value 2*s.*; 3 watch-keys, value 3*d.*; and 1 watch-chain, value 1*s.*; the goods of Thomas West, from his person.

THOMAS WEST. I am mate on board the *Holly*, of South Shields. On the night of the 5th of December, I was in company with the two prisoners and another man, at the Prince Regent public-house, Ratcliff-highway—I pulled out my watch to see the time, at a quarter before ten o'clock, and about ten o'clock I missed it—I went for a policeman but could not find one—I am sure I put my watch back into my pocket—when I came back from looking for the policeman the prisoners and the other man were gone—I knew where one of them lived, but not exactly—I did not take the policeman there, nor to any lodging in Brunswick-street, nor to any lodging—I gave the policeman orders, and a description of my watch.

Q. Then is it true that you knew where Miller lived, and took a policeman to his lodging in Brunswick-street? *A.* That is not right—I did not do that—this is my signature (*looking at his deposition*)—it was not read over to me that I recollect—it was written, and I signed my name to it afterwards—I do not think it was read over to me.

Cross-examined by MR. DOANE. *Q.* Had not you visited some other public-houses that night beside the Prince Regent? *A.* I was in the Jolly Sailors before they came—I left my ship at near seven o'clock that evening—I walked as far as Wellclose-square—I then went into the Jolly Sailors—that was the first public-house I was in—I had been on board my ship all day, and never tasted a drop of grog all day on board—there was grog allowed, but I did not take it—I always keep my hands from that—I refused taking the grog I was allowed—I did so that day particularly—I was determined to be sober—I called at the Jolly Sailors, and had a pint of half and half—I went in by myself, and staid there an hour and a half or a couple of hours drinking it—I drank nothing but the half and half—a couple of pints of half and half was the outside of what I had there—I did not take any spirits in their company—I was by myself in the Jolly Sailors—I drank and gave the same compliment back again—I did not drink spirits there—I was drinking my half and half.

Q. What, for two hours? *A.* I was in the house that time—I cannot say what I drank—I might drink more—it was past nine o'clock when we left the Jolly Sailors—these men went to the Jolly Sailors with me, all three of them—they were in company—we went from the Jolly Sailors

to the Prince Regent—we all drank together—we were all alike—I cannot tell whether we were sober—I cannot say these men were drunk—I was not drunk when I fell in with the policeman—it was ten o'clock when I left the Prince Regent to look for the policeman—I had a pint of half and half at the bar—I had no more there, no spirits—I was certainly a little the worse for liquor—I was about to be married, but not just then—I did not ask anybody to take care of my watch and give it to my lady—I never said I might have done so—I was qualified to take care of it myself—I never said I had given it to somebody to take to her—the lady was not present—she lived in the neighbourhood—I will take my oath I had not given my watch to any one to take care of—I put it into my fob pocket—there was a hair-ribbon to it—it did not hang out much—I missed it at ten o'clock as I was standing at the bar drinking my beer—the landlord had served us, there was no one behind the bar but these three men.

Q. How did you miss it, did you find it going out of your fob? *A.* No, the clock struck ten, I went to look at my watch and found it was gone—I did not feel it drawn out—I was sober—I cannot say but I was a little *forward*—I have not been drinking to-day.

Cross-examined by Mr. Jones. *Q.* What time did you leave your ship? *A.* Near seven o'clock—I walked up the Highway—I went into the Jolly Sailors near upon eight o'clock—I was in and out three or four times in the front part of the house—I did not drink any rum at the Prince Regent—the third man was no relation of mine—he was a stranger—I went back to my ship at twelve or one o'clock in the morning—I was as sober as I was before—I tasted nothing afterwards.

John Conden (*police-constable H* 179.) I took Miller into custody about two o'clock on Wednesday morning, the 6th of December, at his lodgings in Brunswick-street—West gave me a description of the man, and said he believed he lived there—I found he answered the description, and took him—I found nothing on him.

Thomas Cummins (*police sergeant H* 5.) On the night of the 5th of December I saw the prisoners in Princes-street, Ratcliffe-highway, about a quarter to eleven o'clock, about a hundred yards from the Prince Regent—there was a third man in company with them, called *Sailor Jem*—they were in close conversation, and when I came up to them, Miller made signs, which made me conceive a felony had been committed, or was in contemplation; at half-past one o'clock I came round my beat, and heard that an officer had Miller in custody—I then went in pursuit of the other prisoner, about half-past two, or a quarter to three o'clock, to Brunswick-street, and in a brothel there I found George Platt in bed—I charged him with felony—he denied all knowledge of it—I asked him if he had a watch in his possession—he declared to God he had not got it, and knew nothing of it—I put my hand in, and inside his jacket pocket, which hung over the door, I found a watch—he then said that in the Fir Tree public-house, at the corner of Commercial-road, Miller gave him the watch to take care of till the morning—he had before declared to his God he knew nothing about it.

Cross-examined by Mr. Doane. *Q.* You at first charged him with being implicated in the felony? *A.* Yes, and he denied all knowledge of the felony—I was in uniform.

(*Property produced and sworn to.*)

c. The watch was given to me by Miller, to give to

woman outside the Prince Regent public-house—when the officer came I was fast asleep—I did not know what to do.

PLATT†—GUILTY. Aged 33.—*Recommended to mercy.*
Confined Six Months.
MILLER—NOT GUILTY.

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270. ELIZABETH SMITH was indicted for stealing, on the 5th of December, 1 pair of trowsers, value 6*s.* 6*d.*, the goods of Robert Parnell.

ROBERT PARNELL. I am a hosier, and live in Tottenham-court-road. I saw the prisoner in my shop on the 5th of December, about a quarter-past six o'clock in the evening—she asked me to show her a pair of black worsted stockings—I requested her to wait a minute or two, as I was serving a customer—she said she would; but in the meantime she took a pair of trowsers off the counter, and threw them down at her feet—I took no notice of it, and in about two minutes she stooped down, picked them up, and ran out of the shop with them under her apron—I followed, and took her in Tottenham-street—I did not see her drop them, as it was dark, but I saw them in the road, in the direction she ran, about two yards from her—when I stopped her I told her she had stolen a pair of trowsers out of my shop—she said she had not, she had bought them, and paid for them—when I got her back to the shop she said she would pay me for them, but I gave her in charge.

ALLEN HORATIO GARNER (*police-sergeant E* 3.) I went to the prosecutor's shop, on the 5th of December, and took the prisoner into custody, with the trowsers—she said she knew nothing about them, but on the way to the station-house she said she had no intention of stealing the articles—when I took her into custody she dropped a pair of new shoes, which she said did not belong to her—4*s.* 3¼*d.* was found on her at the station-house.

MR. PARNELL *re-examined.* These are my property, and what I saw her take out of the shop.

(The prisoner received a good character.)

GUILTY. Aged 22.—*Recommended to mercy.*—Confined Six Months.

NEW COURT.—*Wednesday, December* 13*th*, 1837.

Sixth Jury, before Mr. Common Sergeant.

271. JOHN CUNNINGTON, *alias Davis*, was indicted for embezzling, on the 6th of November, 4*s.* 6½*d.*; on the 22nd of November, 7*s.*; and on the 27th of November, 6*s.* 4½*d.*; which he had received, as servant to, and on account of George Dennis, his master; to which he pleaded

GUILTY. Aged 25.—Confined One Year.

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272. ELIZABETH BUTTERY was indicted for a misdemeanor.

THE HON. MR. SCARLETT *and* MR. ELLIS *conducted the Prosecution.*

CHARLES NEAVE. I am servant to Robert Allen, of Hart-street, Grosvenor-square, a baker, he sells tobacco. At five o'clock, on the 6th of November, the prisoner came for an ounce of tobacco—I served her—it came to 3½*d*—she offered a half-crown—I gave it to my master—he cut it in two and returned it to the prisoner—it was not out of my sight—I am sure it was the one she gave me.

Prisoner. Q. Did you ask me to pay for the tobacco—I said "It is not for myself, I am very sorry it is bad." *A.* You said you had no more money.

ROBERT ALLEN. I got the half-crown from my servant. I saw it was bad, and cut it—I gave it to the prisoner—she said she could not take the tobacco, she had got no more money—she went out—I followed her about a hundred yards, and she fell in company with another woman, who has been remanded—I followed the prisoner to Piccadilly, and had her taken—a purse was taken from her containing two bad half-crowns, the one I gave her back, and another—5*s.* in good money, and 4½*d.* in copper.

EDWARD JOHN DAVIS (*police-sergeant C* 9.) I took the prisoner—there was another with her—I took the prisoner to the station-house, and found 5*s.* in good money, 4½*d.*, and two bad half-crowns on her.

JOHN FIELD. I am Inspector of coin to her Majesty's Mint. These two half-crowns are both counterfeit, and both cast in the same mould.

Prisoner's Defence. On the 12th, Wednesday, I was in company with Mary Clark, and it was raining—we went to a wine-vaults till it abated—an acquaintance of hers came into the house, and asked me to fetch him some tobacco, for which he gave me half a crown—I did not know it was bad, till the master cut it, and gave it me—I told him it was not for myself—I went back to the man—he gave me another—I did not offer that till I had tried it with my key—I could not bend it with that, but I did, by fixing it in the iron railings—he told me to give them to him back, but before I could turn, he told me to run and throw them away—I had not long left him when a policeman came and tapped me on the shoulder, and took me to the station-house—he asked if I had been passing a bad half-crown—I said I had, and gave the two to him—I throw myself on the mercy of the Jury, as I never offered bad money in my life.

GUILTY. Aged 20.—Confined Six Months.

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273. WILLIAM SMITH was indicted for a misdemeanor.

THE HON. MR. SCARLETT *and* MR. ELLIS *conducted the Prosecution.*

GEORGE PRIDDLE. I am a cheesemonger, living in Fore-street. I know the prisoner—about nine o'clock in the morning of the 27th of November, he came for a quarter or half a pound of 1*s.* butter—I served him—he offered me a bad shilling—he said he knew where he got it from—I said I should not give it him back—he went away—I sent my boy after him, and kept the shilling—he had got a good half-crown, and would not give it me—I gave the shilling to the officer.

HENRY WALLER. I am shop-boy to George Priddle. I saw the prisoner in my master's shop, and followed him.

JOHN BELL. My father's name is Joseph Bell, he keeps the Golden Lion, in Fore-street. On Friday, the 1st of December, about eight o'clock in the morning, the prisoner came for a pennyworth of gin—he gave me a bad shilling—I gave him 6*d.* and 5*d.* in halfpence—I put the shilling into the till—there was no other money in it—I am sure the prisoner is the person—it was three hours from my putting it into the till to my father's taking it out—I was not in the shop all the time—nobody else was.

Prisoner. There was more silver in the till besides my shilling. *Witness.* He could not see over—there was no silver—I gave him the last sixpenny out of the till—there was none put in from the time I put this in [illegible] ak it out.

Prisoner. He said at Guildhall there was more silver in the till.

JOSEPH BELL. I am the father of John Bell. I went to the till about nine o'clock, on the 1st of December, and found a shilling in it—there was no more there—I took it to pay the green-grocer—he said it was bad—I never lost sight of it—I gave it to the policeman on Monday.

ELIZABETH CROOT. I keep the Grapes, in Fore-street. I know the prisoner—I saw him about half-past six o'clock, on the evening of the 1st of December, at the bar in my house—he came for 1½*d.* worth of gin—I served him—he gave me a bad shilling—I saw it was bad, and gave it him back, and he paid me in halfpence—that shilling has not been found since—he put it into the fire, I believe, as it was not found afterwards—I sent for the officer who took him in charge.

WILLIAM HUMPHRIES (*City police-constable* 12.) I went to Mrs. Croot's and took the prisoner, for trying to pass a bad shilling—I searched him there and at the watch-house, and could not find any thing about him—he had no money—I have the other two shillings.

JOHN FIELD. These are both counterfeit.

GUILTY.* Aged 19.—Confined One Year.

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274. SARAH SMITH was indicted for stealing, on the 9th of December, 2 shillings, and 8 halfpence, the monies of William Barnett, from the person of Harriett Barnett.

HARRIETT BARNETT. I am the wife of William Barnett, and live in Turk-street, Bethnal-green; he is a porter. On Saturday evening I went to Mr. Wellesden's shop in Church-street, to redeem some pledges—I felt something behind me—I put my hand into my pocket, and missed 2*s.* 4*d.*—I had seen it not many minutes before—I had just changed a half-crown—I turned round, caught hold of the prisoner, and told her she had taken my money out of my pocket—she said I was deceived—I said, "No, I am not, you hussey; I am positive you have robbed me of 2*s.* 4*d.*"—I kept hold of her, and told her I wanted my money—I told her she had got my money in her hand, and she gave me 2*s.* 4¼*d.* out of her hand—she had other money in her hand—she did not admit taking the money.

Cross-examined by MR. DOANE. *Q.* Did she not utterly deny taking it? *A.* She said, "If I have got it, you take it"—she said I was deceived—I did not see her husband at that moment, but he came in—she offered a handkerchief—there were other people by the side of me—my pocket was at my side—there was only her at my side—I was not against the counter—some one was before me, and the prisoner was behind—I was not against a wall—there were not other people at my right hand—I reached round and caught hold of her shawl—I did not want to press this charge, I only wanted my money—this was towards half-past ten o'clock on Saturday night.

COURT. *Q.* Was anybody near enough to you to take the money but her? *A.* No one behind.

JURY. *Q.* Are you sure there was no one on your side? *A.* Not on my right side—there was a person before me, and the prisoner behind me—rather on the right side—I caught her by her side.

WILLIAM BEDFORD (*police-constable H* 22.) I took the prisoner into custody—the money was returned before I entered the shop.

NOT GUILTY.

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275. JOHN WATTS and JOHN TYNE, were indicted for stealing, on

the 6th of December, 1 pair of shoes, value 2*s.* 6*d.*, the goods of William Marchant.

WILLIAM LOCK. I am shopman to William Marchant, of Oxford-street. At a quarter past eleven o'clock on the 6th of December I was in the shop—I turned, and saw the two prisoners run by the window, and presently saw one of them drop the pair of shoes—they were close together—I could not see which dropped them—they are my master's shoes, and had been hanging just at the step of the door—I had seen them safe a quarter of an hour before—I ran after the prisoners—I did not take either of them, but they were taken.

Watts. He said at the station-house that I took them. *Witness.* No, I did not—I did not say I saw the big boy stoop—I said one of them did.

WILLIAM LOVETT. I was passing Oxford-street, and saw the two lads—they appeared together, and were talking together—I saw Tyne stop at the prosecutor's shop and take up something—they came towards me, and he dropped the shoes—I said, "You d——d young rascal, you have stolen the shoes"—they set off running—I followed them towards St. Giles's, and they were taken before I lost sight of them.

THOMAS CARTER (*police-constable E* 78.) I heard the cry of "Stop thief," and took the two prisoners.

WATTS*—GUILTY. Aged 13. } Transported for Seven Years.
TYNE—GUILTY. Aged 10. }

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276. ANN CLAREY was indicted for stealing, on the 10th of December, 1 watch, value 3*l.*; 1 key, value 3*d.*; 2 half-crowns, and 1 fourpenny-piece; the goods and monies of John Cowan.

JOHN COWAN. I am mate of the brig *Robinson*, at Greenwich. On Saturday night, the 10th of December, I was in the Shakspeare, inquiring for a bed—the prisoner asked me if I would go with her—I told her I was married, I did not want to go with her—I wished to go to a private bed, as I was in trouble in consequence of my brother's death—she said she had a good fire, and I might be quiet there—I asked if there was a pen and ink, she said, "Yes"—I went with her, and she had no ink—I put my watch on the table, and went to bed, and left her sitting by the fire—in two or three hours I went to get up, and my watch was gone—she awoke me by coming to bed; I got up immediately and the watch was gone—I asked her where my watch was—she said she could not tell me—I then went to get my clothes on, and my money was gone—I asked her about it, and if she was in need—she said she knew nothing about it—I opened the door and called the policeman—I do not know whether any one else had been in the room—I did not see any one but her—I left her in charge of all my property—I do not know whether she went out while I was asleep—the watch is not found—I valued it, as I had it ever since I was a little boy—it was about three hours after I went to bed, by the officers account, that I was awoke by her coming to bed.

SAMUEL HOOD (*police-constable K* 70.) I was called in, and searched the prisoner and the room—I found neither money nor watch—I have been to all the pawnbrokers, and used every endeavour to trace it—it is not found—I am not aware that this is a room that others go to—it is a house I never was called into before—the prosecutor was quite sober—I only found 3*d.* on the prisoner.

Prisoner's Defence. At a quarter to one o'clock I met the man—he went home to give me 2*s.*—he was in liquor—we went to bed toge-

came to a dark entry, and I said, "Where are you going"—he got me down the entry, put his hand into his pocket, and gave me a shilling—I said "There is no public-house here, let us go where there is one"—he said, "Stop, I must have something for my shilling"—I said, "You shall not have any thing to do with me here"—he put his foot behind me and threw me down violently, then he caught my hands and said I had robbed him, he wanted the shilling that he had given me—I said I would not let him have it, he drew me up the court and gave me to the policeman—I knew nothing of the two half-crowns, only the shilling that he gave me.

GEORGE FINDLAY *re-examined.* These half-crowns were found at the far end of the court from the street—there is no thoroughfare—she did not complain of a dreadful fall—I saw some lead pencils—the prosecutor says he gave her the shilling at the top of the court.

SAMUEL PHILLIPS *re-examined.* *Q.* How was it you got to the upper end of the court? *A.* She ran down the court and I after her—I will be on my solemn oath I had nothing to do with the prisoner—I gave her the 1*s.* at the top in the open street, near the railing—she dropped one or two pencils—she had, I suppose, twenty—the place where the money was found was within a yard of the place where I gave her the shilling—I was by the side of the court when I gave it her.

NOT GUILTY.

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280. WILLIAM MOSS was indicted for stealing, on the 4th of March, 1836, 1 cloak, value 3*l.*; and 1 coat, value 2*l.*; the goods of Thomas Parry.

BENJAMIN WORRALL. I live at No. 1, Coles's-place, Elder-walk, Lower-road, Islington, and am a butcher. On the 4th of March, 1836, the prisoner was in company with a man named Widdowson—I knew them both by sight—Widdowson went to a house on the right hand side, opposite Mr. Parry's, and the servant shut the door in his face—he crossed to Mr. Parry's, and stood some time, as if talking to a person—I went by, and he was taking the things off the hooks in the passage—I went by, and Widdowson came out with something loose in his arms—the prisoner was waiting for him, and then Widdowson put the things into the bag and gave it to Moss—I followed them a mile and a half, and then I saw a policeman, who ran down Camden-street, and saw them—the prisoner saw the policeman making up to them, he dropped the bag and ran away—I am quite sure the prisoner is the man.

Cross-examined by MR. ESPINASSE. *Q.* Had you known him before? *A.* I had seen him before—I have not seen him since—when Widdowson came out of the house the prisoner was standing at the bottom of the street—I was at No. 3, about as far as from here to the other end of the Court—the robbery was committed five doors up the street—Moss was five doors from where the robbery was—I was asked at the office how far I was from the prisoner Moss when the other man was taken—I did not say I was not nearer to him than a hundred and twenty yards—that I will swear—the policeman might have said that—I had only known the prisoner by sight before—I had seen him six or seven times—I did not know his name—he had got a blue coat and gilt buttons, and, I think, kerseymere trowsers—*I was* examined last Wednesday on the charge against Moss.

THOMAS PARRY. I live in John-street, Adelphi. On the 4th of March, 1836, I lived in Barnsbury-street, Islington. I remember losing the coat and cloak about eighteen months ago—they were hanging in the passage at that time—this is it.

WILLIAM KERR (*police-constable N* 131.) About half-past eleven o'clock, on the 4th of March, 1836, I went to Colebrook-row, and saw the prisoner in company with Widdowson, who was tried, and transported for seven years—Moss was carrying a bag, containing these things, which he dropped—I am certain he is the person—I did not take him that time—I was looking after him, but could not find him.

Cross-examined. *Q.* Did you know him before? *A.* No—at the first information he was about a hundred and fifty yards, and afterwards about a hundred and twenty yards, from me—I was running—he stopped, looked round, dropped the bag, and ran away.

MR. ESPINASSE *called*

MICHAEL CURRAN. I am a tailor and breeches maker. I have known the prisoner for about two years—he lodged in my house—I was in the habit of repairing his clothes sometimes—I have not seen him in a blue coat for the last two years, particularly about March—I pass his door ten or twenty times a day—I do not think he could wear one without my seeing him—I think he is a cheesemonger, or something of that sort.

COURT. *Q.* Where was he a cheesemonger? *A.* I cannot tell—I never knew any thing bad of his character.

JAMES CURRAN. I am the son of Michael Curran, and am a tailor. I have known the prisoner about two years—I never saw him wear a blue coat during March, 1836—I was in the habit of seeing him every day—he never wore a blue coat—I always considered him a very honest young man, and have repaired clothes for him.

COURT. *Q.* You have seen him daily, have you? *A.* Yes—I have occasion to go backwards and forwards to my father—he lived and lodged in the house—I do not know what he is—I understand he was in the butter business, but where I cannot say—he has been lodging in the house with my father about two years, up to the present time—he had left us about a fortnight—I have seen him wear a brown and black coat, but never a blue coat—not for the two years—he lodged in the top room—I must pass his room to go to my father's—my father lives in the top front room—I have generally seen him at home, I cannot swear every day—he wore a brown frock coat, but no gilt buttons.

JOHN M'NEALE. I am a provision dealer, and live at Cock-hill, Bishopsgate. I have known the prisoner six or seven years—I know nothing the reverse of his honesty—I was in the habit of seeing him frequently in March, 1836—he had a kind of green frock coat that he wore almost two years.

COURT. *Q.* It was not a purple coat? *A.* It was a kind of green frock coat, and he had a kind of black coat after that—a strong black, a kind of Oxford mixture—I think he had the green coat about March, 1836—I cannot say what he had before that—I cannot say that I ever saw him with a blue coat—I cannot say what he had on on the 4th of March, 1836—I used to see him once or twice a week, perhaps three or four times—he was an acquaintance of mine—his father kept a shop in Finsbury—I have known him six or seven years—I might be three months without seeing him—I do not know how he gets his livelihood.

GUILTY.† *Aged 26.—Transported for Seven Years*

281. JOHN JONES was indicted for stealing, on the 20th of October, 8 brushes, value 12*s.*, the goods of Richard Hinton.

RICHARD HINTON. I live in Great Peter-street, Westminster, and am an oilman. At half-past five o'clock, on the 20th of October, a female said something to me that induced me to see if there was any hand in my shop —I looked at the door immediately, and saw the prisoner's hand go from the door—some brushes were there—my young man was up at tea— I had to ring the bell, and then I ran after the prisoner and another one— I ran through a court which brought me to Pye-street, very near to the prisoner—I saw my brushes across the prisoner's shoulder—I got very near to him—then they turned round and saw me, and ran off together—these are part of my brushes—I knew him before—I had a distinct view of his person, enough to know who it was—I followed them to some empty houses, and there I lost them—one went in one, and the other another— they ran through the houses, I suppose—I went, but could not find them.

Cross-examined by MR. ESPINASSE. *Q.* Was it dark? *A.* It was dusk, about half-past five o'clock.

JAMES WILSON. I live in Pye-street. I picked up these brushes in the street that night, and took them to the station.

RICHARD SUTTLE. I am a policeman. The brushes were given to me —I took them to the prosecutor—I did not take the prisoner, but another officer did.

GUILTY. Aged 18.—Confined Six Months.

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282. WILLIAM JACKSON, GEORGE CARTER, and GEORGE HALL, were indicted for stealing, on the 29th of November, 2 casks, value 20*s.*, the goods of Samuel Beale; and that George Carter had been before convicted of felony.

SAMUEL BEALE. I live at No. 7, Chichester-place, Gray's Inn-lane, and am a cooper. On the 28th of November I had two casks safe, enclosed in my garden, in Manchester-street, near to where I live—I missed them on the Sunday following, the 3rd of December—I believe these are my casks—(*looking at two.*)

Cross-examined by MR. PAYNE. *Q.* How late on the 28th had you seen them? *A.* I am not positive to an hour, but I believe from three to four o'clock in the afternoon—it might have been rather sooner—there is a mark on them—I have no doubt about them—I do not know Trafalgar-square—I have no other name but Samuel Beale—these are my property.

CHARLES ADCOCK (*police-constable A* 44.) At half-past seven o'clock, on the morning of Wednesday, the 29th of November, I saw the three prisoners coming down Trafalgar-square, Jackson and Carter were rolling the casks, and Hall was carrying two hoops in his hand—I followed them till I met another policeman—then I went to them, and asked where they were going—Jackson said, "I am going to sell them; I deal in them"— I asked him where he got them from—he said he bought them of a person named Jones, living in Kensington—I took them all.

PETER KENDALL (*police-sergeant P* 1.) I got this certificate of Carter's former conviction from the Clerk of the Peace for Surrey—(*read*)—the prisoner Carter is the man.

(William Allen, of Camden-street, Walworth, gave the prisoner Jackson a good character.)

JACKSON—GUILTY. Aged 24.—Confined Three Months.
CARTER—GUILTY.* Aged 20.—Transported for Seven Years.
HALL—GUILTY. Aged 20.—Confined Three Months.

233. WILLIAM PACK was indicted for stealing, on the 12th of December, 3 yards of hessian, value 2*s*., the goods of William Leaf and others, his masters.

EDWARD STEVENS. I am servant to William Leaf and others, of Old Change. The prisoner was their servant also—at half-past seven o'clock last evening I saw him cut a length of hessian and place it under his apron—I gave information to Mr. Brankston, and he was watched—I was present when he was searched, and these three yards of hessian were found on him, under his apron—he had no business with it—it is my master's property.

MICHAEL BRANKSTON. I received information, and got Mr. Roe in waiting to take the prisoner—I saw him searched in the dining-room—he was going off—he went to Cheapside, and was brought back by Roe.

Prisoner. I am very sorry for it.

GUILTY.—Confined Six Months.

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234. EMILY ROBERTS was indicted for stealing, on the 5th of December, 1 tea-caddy, value 6*s*.; 2 half-crowns, and 9*s*.; the goods and monies of George Gunn.

GEORGE GUNN. I lodge at No. 18, St. Ann's-court, in the one pair back room, and am a tailor. I was in the Ship public-house, in Wardour-street—my wife and a woman came for me—I went home after that, and was in bed by half-past-nine o'clock—I had a tea-caddy in my room, and this money in it—I was awoke by the door opening, and said, "Who is there?"—no one answered—I got out of bed and saw the shadow of a woman—she stooped down to my table and took the caddy, which struck against the jug and basin—it was the prisoner, she had no business in my room, and she had got the tea-caddy off the table—when she was brought back the policeman had it in his hand.

Cross-examined by MR. PAYNE. *Q*. Was your door locked? *A*. No—I have got a young man who sleeps with me, and I cannot lock it till he comes in—I am sure it was the prisoner—I saw her distinctly, and I called out, "Mrs. Roberts, I know you; bring that back"—I opened the door, and said, "Who is there?"—no answer was made—then the figure stooped down level to the table—I said that it was Mrs. Roberts, at Marlborough-street, and I called twice to her to bring it back before I called "Stop thief"—this is my signature—what I said was taken down in writing and read over to me—(*the witness's deposition being read, stated that he saw a woman in the room, but not that it was Mrs. Roberts, and omitted to state that he saw her stoop*)—I do not mean to swear that I told the Magistrate it was Mrs. Roberts I saw in the room—I told him I saw the shadow stoop—the room was not dark—I had put the candle out—there was a gas light from the back which lights into my room—the outer door is always open till the people who occupy the place below are gone to bed, which is about nine o'clock or half-past—there are about six lodgers—the person below brought the prisoner to me.

JOHN HALL. I lodge at this house, and occupy the shop and parlour. About eleven o'clock this evening I heard the cry of "Stop thief," and found the prisoner with the tea-caddy, and took her into custody—I gave the caddy to the policeman.

Cross-examined. *Q*. Did you catch hold of her? *A*. Yes, knowing the caddy—it had belonged to me before—I asked her where she was going, and what she was doing—she told me a woman gave her the caddy, into the court, I had better go after her—I told her I should

detain her—I sent my son for the policeman, and then took her to the door of Mr. Gunn's room—the outer door was open—I had not gone to bed.

JURY *to* GEORGE GUNN. *Q.* Had this woman any business in the room? *A.* None whatever—she had heard me tell my wife to go and put the money into the caddy.

Prisoner. When I saw him at the shop he was talking to a woman, and then he wanted me to stay with him all night, and I said no.

(Samuel Stuckey, a plasterer, of Pear-tree-court, Shoreditch; and Martha Wynne, of Union-place, New Kent-road, gave the prisoner a good character.)

GUILTY. Aged 44.—Confined One Year.

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285. JAMES REYNOLDS was indicted for stealing, on the 30th of January, 480 razors, value 24*l.* 6*s.*; 24 razor cards, value 12*s.*; 24 razor cases, value 16*s.*; 24 razor strops, value 1*l.* 3*s.*; 252 pairs of scissors, value 2*l.* 7*s.*; 21 scissor cards, value 10*s.*; 60 penknives, value 1*l.* 10*s.* 4*d.*; 5 penknife cards, value 2*s.* 6*d.*; and 1 packing-case, value 5*s.*; the goods of Charles Perrott and another.

MR. JONES *conducted the Prosecution.*

CHARLES PERROTT. Our carman, Francis Frooms, was sent to Mr. Johnson, in London Wall, to fetch two cases of goods, on the 30th of January—I did not know what they were to contain—he returned, and I found he had only got one—I went to Mr. Johnson to make inquiry, and then gave information to the police.

Cross-examined by MR. PHILLIPS. *Q.* Have you any partner? *A.* Yes, I have one.

JOSEPH JOHNSON. I am a cutler, and live in London Wall. On the 30th of January I delivered to Frooms a box containing cutlery worth about 34*l.*—in consequence of some information I went the next morning with the officer to No. 24, Peerless-row, City-road—the officer searched, and the whole of the property was found under the floor, except one penknife.

Cross-examined. *Q.* Did you see any body in the house? *A.* Yes, two women.

FRANCIS FROOMS. I am carman to Messrs. Perrott and Welch, of Tenter-street, Moorfields. On the 30th of January I received two boxes from Mr. Johnson—I put them into the cart, and went straight home, and then missed one box—at the corner of Short-street, Finsbury, a light cart came right across and prevented my going on a few seconds—I then went home.

Cross-examined. *Q.* I believe this is the first time you have told about the cart? *A.* I stated it before the Magistrate.

JOHN M'WILLIAMS (*police-constable H* 18.) I went to the house No. 24, Peerless-row, with Mr. Johnson—I examined the floor of the passage, and under it I found the property—at the side of the passage there was a sort of cupboard which led under the stairs—I found there a quantity of potatoes—I had to remove them.

GEORGE GRAVES. I went after, M'Williams, with a search warrant—I found the property under the floor.

CAROLINE RILEY. I am the wife of John Riley. In January last I lived at No. 24, Peerless-row—I occupied the front room first floor—the prisoner and his wife let it to me—they occupied the two parlours and the

back room next to me—they dealt in coals and potatoes—he kept some potatoes in his shop, some in the yard, and some in the coal cupboard under the stairs—I remember the officers coming to search there—when I came down they were searching the potatoes—on the 30th of January I came down from my room, about half-past six o'clock in the evening, and saw the prisoner and his wife coming up stairs with a deal box about this size (*about half a yard*)—they went with it to their bed-room, which is next to ours—after that I saw the street door wide open—the prisoner got into the cart, which was at the door, and said to his wife, "Good bye, I shall be back by eight o'clock"—I did not see him again till he was in custody.

Cross-examined. *Q.* Had you seen the prisoner before you saw him and his wife carrying the box up stairs? *A.* No—there is a knocker at his door—the door was open—I saw a man standing in the cart at the door.

Mr. Jones. *Q.* Did the prisoner and that man go away together? *A.* Yes.

John M'Williams *re-examined.* I went into the prisoner's room on the ground floor and found wood burning, similar to what packing-cases are made of—I found some in the yard—it is here to-day.

John Riley. I am the husband of Caroline Riley. I looked out of the window that day and saw the prisoner getting into a cart, and go away—I had lived in the house not quite a week—I am sure the prisoner is the man.

Mrs. Lyers. I am landlady of the house No. 24, Peerless-row. I collect the rent of that house with some others for myself and five brothers and sisters—I know the prisoner—I let the house to him on the 23rd of December—I did not go there between the 23rd of December and the 30th of January—I do not think I saw the prisoner after the robbery was said to have been committed.

Henry Charles Barker (*police-constable H* 26.) In consequence of information, I have been in search of the prisoner from January last—I made diligent inquiry and could not find him—I found him last Saturday in the Three Compasses, in Anchor-street, City-road.

Joseph Johnson *re-examined.* I believe these to be the pieces of the case in which I packed my cutlery—the carman left my house about five o'clock that day, just at dusk in the evening.

Mr. Phillips to Francis Frooms. *Q.* Did you see the cart? *A.* Yes, it crossed the horse's head, and I caught hold of my horse's head—there were two driving it, but I could not see the persons of either.

GUILTY*—Aged 25. Transported for Seven Years.

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286. JOB COLBOURNE was indicted for stealing, on the 10th of December, 1 gown, value 2*s.*; 2 pairs of stockings, value 1*s.*; 1 bonnet, value 3*d.*; and 1 handkerchief, value 4*d.*; the goods of Richard Hodges.

Richard Hodges. I was drinking in the tap-room of the White Lion, between eight and nine o'clock, on the 10th of December—the prisoner was on my right-hand side—I had this bundle with me containing all these things—I missed it when I was told of it—I did not see the prisoner go out, but I missed him when I was told of it—the bundle was brought back to me—this is mine.

Prisoner. *Q.* Did you not give me the bundle? *A.* No, I did not.

It *was by the side of me, and he* kept *shoving* it towards me

—I said "Do not push it to me"—he said "You may have it if you like."

WILLIAM CORNFORD. I keep the White Lion, in Hemming's-row. I saw the prisoner go out with the bundle—I sent my pot-boy out, and followed after him at a distance—he ran down the street followed by my pot-boy—I immediately followed at a distance—he was stopped by the policeman—I stated before the Magistrate that he forced himself by me—my pot-boy called "Stop thief," and he was taken.

Prisoner. I could not force by him—I was on one side of the bar and he the other. *Witness.* No, I came round in front.

WILLIAM HALL (*police-constable A* 40.) I heard the cry of "Stop thief," and saw the prisoner running with the bundle—he dropped it—I took it up and ran and took him—he was rather drunk.

JURY. *Q.* What did the prisoner say to you? *A.* He said the man had been drinking with him, and would not pay part of what he drank.

JURY to RICHARD HODGES. *Q.* Had he been long with you? *A.* I was not in the house a quarter of an hour—I had no previous knowledge of him—he might have drank once with me.

(The prisoner received a good character.)

GUILTY.—Aged 23. *Recommended to mercy by the Jury.*
Confined One Month.

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287. JANE PERRY was indicted for a misdemeanor.

MR. PHILLIPS *conducted the Prosecution.*

CLARA DENTON. I am the wife of John Denton—he keeps the Golden Fleece wine-vaults, in St. John's-road. The prisoner came to me about nine o'clock, on Tuesday, the 28th of November, and asked for three sovereigns for Mrs. Phillips—I knew Mrs. Phillips—I said "You are Mrs. Phillips's servant"—she said "Yes"—my husband was out, and I gave the money to my bar-maid the next morning—her name is Ann Wilson.

Cross-examined by MR. CLARKSON. *Q.* Had you known this girl before? *A.* Only from coming over for the family's porter or ale, for about two months—I knew that she was Mrs. Phillips's servant, but I asked her for fear she had left—she said it was for Mrs. Phillips—I should not have thought of lending a servant that money—she said Mrs. Phillips had got some young ladies there that were going into the country, and Mr. Phillips would send the money—I sent it next morning by my bar-maid—I am able to swear she did not borrow it for herself.

ANN WILSON. I am bar-maid to the prosecutrix. On Wednesday morning Mrs. Denton gave me 3*l.*—I took it to the prisoner—she came and knocked at the door, and I went to her and gave it her—she said "Tell Mrs. Denton that Mrs. Phillips is much obliged to her, I will bring it over to-morrow, when Mr. Phillips returns from the country."

ELIZA PHILLIPS. I am the wife of Christopher Phillips. The prisoner was in my service in November—I never authorised her to go to Mr. Denton for 3*l.*

GUILTY.—Aged 20. *Recommended to mercy by the Jury and Prosecutrix.*
Confined Four Days.

(There was another charge against the prisoner, upon which no evidence was offered.)

OLD COURT.—*Thursday, December* 14*th*, 1837.

Second Jury, before Mr. Justice Littledale.

288. **THOMAS QUINN** was indicted for unlawfully, maliciously, and feloniously assaulting John Quinn, on the 15th of November, and stabbing, cutting, and wounding him in his belly, with intent to maim and disable him.—2nd COUNT, stating his intent to be to do him some grievous bodily harm.

JOHN QUINN. I am the prisoner's son. I am going on for nineteen years of age—my father lived at No. 20, Drury-court, Drury-lane—he had only part of the house—he is a stone-mason—I lived with him—I had been out all night before the 15th of November, and came home between twelve and one o'clock in the middle of that day—my father was at home when I came back, and he accused me for being out all night—he asked where I had been—I said to my sister's—I had been there, but was not there all night—when I told him I had been to my sister's, we had a few words, and I made him a saucy answer—he was very much in liquor, and tried to strike me—my sister was there at the time, (but not the same sister at whose house I had been)—she got up between us to make peace, and then he stabbed me with the table-knife which he was eating his dinner with—he was at dinner at the time—we had a bit of a scuffle before he stabbed me—he tried to strike me, but I kept off the blow, and then he stabbed me—I went back—he followed me just by the cupboard—he was eating his dinner with the knife—he stabbed me in the side—I fell down, and do not remember what happened afterwards—I only received one stab—I went to the doctor's, and was then taken to Charing-cross hospital.

Q. Did any blood come from where he stabbed you, before you left home? *A.* Yes—I remained at the hospital three weeks and better—I had insulted my father before he tried to *hit* me—I gave him a saucy answer—he is deaf.

Prisoner. His sister left her place the same night, and he only took her box up stairs for her, where she lodged—he was in the habit of staying out a good deal—he was only a fortnight in the hospital. *Witness.* I was better than three weeks in the hospital, but I used to go out for an hour or so, as the doctor gave me leave.

COURT. *Q.* Did not you go to Clerkenwell? *A.* Yes, I went down to see my father there, to take him something to eat, but he was not allowed to have it—I do not know why.

Prisoner. He told me I should be liberated next day, if I minded what I was about, when I went up to Bow-street. *Witness.* Yes, I told him so, as I was told so by several people, that he would be liberated next day, if he minded what he was about.

Prisoner. I told him I had nothing to say. *Witness.* Yes, he did say so.

JURY. *Q.* Did you strike your father before you were stabbed? *A.* No—I raised my hand to ward off the blows—I had no opportunity to get out of his presence—I was at the further end of the room—I could not have got out of the room—I had no thought that he would have done what he did—he did not hold the door, or place himself against it—we were at the further end of the room—I did not stand and provoke him after he questioned me where I had been—I was *saucy to* him at the time—I was [illegible] *my standing there would provoke* him—he told me to go

out of the room, and I said I would not—my father and I were in the habit of quarrelling previous to this—I had been drinking the night before—I was perfectly sober when I went home—I had drunk nothing that day.

MARY QUINN. I am turned thirteen years of age, and am the prisoner's daughter. I remember the 15th of November last—I sat down to dinner with my father that day, about half-past twelve o'clock—my father was very much in liquor at the time—while we were at dinner my brother came in, and my father accused him for stopping out all night—my brother said he had been to my sister's, to convey her boxes to her lodging—my father still continued accusing him for stopping out all night—my brother then said "Ah!" impudently, and my father thought he said something else, and stood up and made an attempt to strike him—he had a knife in his hand at the time, eating his dinner with it—my brother put his hand towards him to keep the blow off—I went between them to make peace, and then my father stabbed him with the knife he had been eating his dinner with—he stabbed him in the side, and he fell down—I told him to go to the doctor's, and went with him.

Prisoner. *Q.* Could he not have run out if he had liked? *A.* He could have gone out when my father begun upon him at first.

Prisoner. He was in the room before I came in. *Witness.* No, he was not—my father was very tipsy—he could hardly stand, and hardly knew what happened.

Prisoner. When I asked him what made him stop out, he said, "Ask my a—." *Witness.* I thought my brother said so.

Prisoner. He has been in prison twice—I did not know what to do with him—he has been twice at the treadmill, and a bad character he is.

CHARLES STEVENS. I am house-surgeon at Charing-cross Hospital. On the 15th of November John Quinn was brought there—I found a wound on his abdomen—it was a small wound—I do not know the depth, as no instrument was introduced to try it—it had been done by some sharp-pointed instrument, and was a dangerous wound—he appeared to suffer a good deal from it—he appeared very faint, and in a very bad state—he was three weeks in the hospital, or it might be more—he was completely recovered when discharged.

RICHARD MOORE. I am a policeman. On the 15th of November I went to the prisoner's house, in Drury-court, and found him very drunk—I took him into custody—he was standing in Drury-lane when I went up to him—I put my hand on his shoulder, and said, "You are my prisoner"—he said, "If I am it can't be helped"—I said nothing more to him at that time, but took him to the station-house, and locked him up—I afterwards took him, by the Magistrate's order, to Charing-cross Hospital, for the Magistrate to take his son's deposition—I asked him what he had done with the knife he had stabbed his son with—he said he did not know, he had thrown it away, and had not seen it since—I afterwards found the knife burning on the fire—the point of it was broken off—I could not find the whole of it—I have it here, except the point—I have had the care of it ever since.

Prisoner's Defence. I was going to the doctor's to see how my son was when I was taken—I have been aggravated by him these two years—he has been in prison twice, and has troubled me day and night—I turned him out two months ago, and he fought me, knocked me down, and beat me in my own room—he was away about a month, and got his mother to beg me to let him come home again, which I did, and he got as bad as ever

again—he has been in bad company two or three years; and on this night his sister had left her place, he only took her box up stairs for her, and went away—if he got two or three days' work, he would go off and spend the money—I worked for the late Mr. Sheriff Johnson eighteen years, on and off, and was in his employ on this day.

GUILTY of an assault only. Aged 48.—*Recommended to mercy on account of the provocation he received.*—Confined Six Months.

Before Mr. Baron Gurney.

289. DAVID GILBERT was indicted for stealing, on the 26th of November, a certain order for payment, and of the value of 6*l.* 16*s.* 10*d.*; another for 3*l.* 19*s.* 9*d.*; another for 3*l.* 3*s.*; another for 150*l.*; another for 3*l.*; and another for 1*l.* 19*s.*; 6 promissory notes of 5*l.* each; 1 of 5*l.*; 1 other of 5*l.*; 3 others of 5*l.* each; 1 of 10*l.*; 2 of 5*l.*; 1 of 10*l.*; 2 others of 5*l.*; 1 of 10*l.*; 1 of 20*l.*; 13 of 5*l.*; 21 of 10*l.*; 4 of 5*l.*; 1 of 10*l.*; 7 of 5*l.*; 8 of 10*l.*; 24 of 5*l.*; 1 of 10*l.*; 37 of 5*l.*; 3 others of 5*l.*; 1 of 10*l.*; 1 of 20*l.*; 79 of 5*l.*; 6 of 10*l.*; 1 of 20*l.*; 2 of 50*l.*; 10 others of 5*l.*; 1 of 10*l.*; 2 of 5*l.*; 37 others of 5*l.* each; 4 of 10*l.*; 8 others of 5*l.* each; 1 of 5*l.*; 1 £10 Bank-note; 1 bill of exchange for 15*l.*; 1 order for the payment of 10*l.*; another for the payment of 100*l.*; another for 10*l.*; another for 2*l.*; another for 59*l.* 17*s.*; another for 5*s.* 10*d.*; another for 10*l.*; another for 58*l.* 4*s.*; another for 10*l.*; another for 28*l.* 17*s.* 6*d.*; another for 3*l.*; another for 2*l.*; 1 for 5*l.*; another for 5*l.*; 2 others for 5*l.* each; 1 bill of exchange for 8*l.* 18*s.* 11*d.*; another for 4*l.* 12*s.*; another for 150*l.*; another for 48*l.* 15*s.*; another for 15*l.* 17*s.* 6*d.*; another for 29*l.* 9*s.* 6*d.*; another for 25*l.*; another for 18*l.* 8*s.*; another for 61*l.* 16*s.*; another for 24*l.*; another for 15*l.*; another for 73*l.* 14*s.*; another for 9*l.* 8*s.*; 2 of 30*l.*; another of 15*l.*; another of 64*l.* 8*s.*; another of 14*l.* 10*s.* 3*d.*; another of 16*l.* 13*s.*; another of 60*l.*; another of 20*l.*; another of 22*l.* 11*s.*; another of 35*l.* 10*s.*; another of 48*l.* 6*s.*; another of 3*l.* 14*s.*; another of 25*l.* 8*s.*; another of 50*l.*; another of 20*l.*; another of 56*l.* 9*s.*; another of 14*l.* 9*s.* 6*d.*; another of 5*l.*; another of 55*l.*; another of 10*l.*; another of 20*l.*; another of 20*l.*; another of 15*l.*; another of 30*l.*; another of 2*l.* 10*s.*; another of 18*l.* 1*s.*; another of 20*l.*; another of 22*l.* 4*s.* 8*d.*; another of 44*l.* 13*s.* 8*d.*; another of 22*l.*; another of 17*l.* 6*s.*; another of 33*l.*; another of 30*l.*; another of 39*l.*; another of 6*l.* 10*s.*; another of 14*l.* 14*s.* 9*d.*; another of 30*l.*; another of 87*l.* 1*s.*; another of 20*l.*; another of 80*l.* 2*s.*; another of 24*l.*; another of 18*l.* 12*s.* 6*d.*; another of 54*l.* 18*s.* 6*d.*; another of 30*l.*; another of 8*l.*; another 25*l.* 6*s.*; another of 50*l.*; another of 23*l.* 13*s.* 6*d.*; another of 20*l.*; another of 25*l.*; another of 27*l.* 12*s.* 6*d.*; another of 20*l.*; another of 97*l.* 8*s.* 8*d.*; another of 32*l.* 3*s.*; another of 42*l.* 8*s.*; another of 49*l.*; another of 90*l.* 10*s.*; another of 70*l.* 3*s.* 4*d.*; another of 25*l.* 17*s.* 6*d.*; another of 27*l.* 6*s.*; and a variety of other bills; the property of James Scan; and 1 carpet-bag, value 5*s.*; the goods of William Harrison.

Mr. BODKIN *conducted the Prosecution.*

WILLIAM HARRISON. I reside at Leeds. I acted as guard to the Express coach on the journey up from Leeds, on Sunday, the 26th of November—I took the place of a man named Howard for that journey—the coach arrived at the Bull and Mouth about ten o'clock in the morning—it drove into the yard—I had a carpet bag with me which belonged to myself—I [illegible] *the Yorkshire District Bank* two parcels directed to

Williams and Co., London, and another from another Bank addressed to Jones and Lloyd—I placed them in my own bag—when the coach arrived in the yard I got down and saw the passengers leave the coach—I had the bag in my hand when the passengers left, and then put it by the side of the coach-office window—a passenger came back to ask for a parcel he had left which had been taken into the coach-office—I then laid my bag down by the coach-office window, and went in to fetch the parcel—I was hardly gone a moment, and when I came back my bag was gone—I saw the prisoner going out the back way of the Bull-and-Mouth with my bag under his arm—that would lead him into Bull-and-Mouth-street—he had a Macintosh cape which covered the bag—he had got about five yards from the coach-office door—I followed and stopped him, and said, "What are you going to do with that carpet bag? that is my carpet bag"—he said a gentleman had ordered him to take it to a *cab*—I took him into the office—I then said he was a vagabond for taking my bag—he said I was too harsh with him, he had merely taken the bag out of a mistake—a policeman was sent for, who came and took him into custody—he was dressed in a surtout coat, black waistcoast, and had a gold chain round his neck—he had quite the appearance of a gentleman—this is the bag—(*looking at it*)—the covers of the parcel are now in it—there was no name or address on the bag.

Cross-examined by MR. PHILLIPS. *Q.* Had you told any body that you had put such valuable property into the bag? *A.* No—it did not get wind that there was so much property in it, that I know—we had three outside passengers and one inside—some of them were gentlemen—the prisoner said a gentleman had ordered him to take it to a *cab* which was waiting outside—I did not go out to look for a *cab*.

MR. BODKIN. *Q.* How do you receive these parcels? are they brought to you at the coach? *A.* They are brought by the porters of the Banks to me—persons travelling by the coach might have the opportunity of seeing me receive such parcels—no gentleman came afterwards to ask for any bag, to my knowledge.

JOHN FROST. I am a lace-manufacturer, living in Wood-street. I travelled by the Express coach from Leeds—I waited till the front boot was emptied of parcels, and then applied to the guard for a parcel of mine—he left me to go into the office, and brought it out—I did not notice the bag in his hand.

JOHN WADE. I am a policeman. I was sent for to the Bull-and-Mouth on the Sunday morning in question, and found the prisoner there—he was given into my custody—I searched him, and found five sovereigns, a silver watch, a pencil case, and a gold chain, on him—I took the bag to Jones and Lloyd's banking-house, and left it there sealed up—I took a receipt for it—I then took the prisoner to the Compter—I got the bag next day from Jones and Lloyd's with my seal unbroken—I was present when the parcels in the bag were opened—they contained a variety of bills, Bank-notes, and promissory notes, which I left with the bankers, Jones and Lloyd, and Williams and Deacon—two parcels were addressed to them containing bills and promissory notes—I left them with their clerks—these are the wrappers of the parcels—(*producing them*)—the total amount was 11,373*l.* odd.

JAMES COWLETT DRAKE. I am clerk to Messrs. Jones and Lloyd, bankers. I have an account of the securities contained in the parcel brought to our house by the policeman, and opened at Guildhall in his

presence—it contained country Bank-notes and bills of exchange—I produce four £5 notes of the Halifax Joint Stock Bank which were in it among others—I applied the rest of the securities to the accounts of the parties.

JAMES KER. I am clerk to Williams and Co., bankers in London. I produce part of the securities contained in the two parcels addressed to our house—here are four £5 notes of a country Bank—the other securities have been placed to the credit of the Banks.

GEORGE BECKSON. I am clerk to the Yorkshire District Banking Company in their establishment at Leeds. I saw these two parcels, which are addressed to Williams and Deacon, sent off—they contained a variety of securities and bills of exchange—I cannot say whether these notes were among them, but there were such notes.

WILLIAM BACE. I am clerk to Bush and Masters, solicitors for the prosecution. I produce a certified copy of a return made to the Stamp-office respecting the Yorkshire District Bank—I saw it signed by a commissioner of stamps—(*this being read, James Scan was named as one of the principal officers.*)

JOHN ELLIS. I am principal watchman at the Bull-and-Mouth. I know the prisoner by sight—I have seen him several times at the Bull-and-Mouth—I think I had seen him somewhere within a week of the day the parcel was stolen, but I will not be positive—he was walking about there like a gentleman, leisurely—I took him to be a respectable gentleman.

GUILTY. Aged 43.—Transported for Seven Years.

Before Mr. Justice Littledale.

290. THOMAS BROWN was indicted for feloniously breaking and entering the dwelling-house of Thomas Burrows, on the 9th of December, at Feltham, and stealing therein 1 cask, value 3*s.*; and 9 gallons of elder wine, value 17*s.*; his property.

THOMAS BURROWS. I live at Feltham, in the parish of Feltham, in Middlesex, and occupy a house there—I am a labourer, but am not able to do any work now. On Saturday evening, the 9th of December, I locked my house up, and came away—I went down to my son's to get shaved—I returned at a little after nine o'clock, and found the house broken open—I have two doors, both of which I had locked up, and I found both broken open—both the staples were drawn, and one broken—there was plenty of victuals in the house, but I missed nothing but a cask of elder wine out of the room I live in—I have a room to myself—my son lodges with me—I am the housekeeper—there were nine gallons of wine—I saw my cask afterwards at the prisoner's house, about one o'clock on Sunday morning—I have known him from his infancy—he lives thirty or forty yards from my house.

Prisoner. His son, who lodges with him, came and asked me to fetch it from his house.

ROBERT JAMES THORPE. I am a constable of Feltham. In consequence of information, I went to the prisoner's house last Saturday night, between eleven and twelve o'clock—I saw the prisoner, and asked him if he had a cask of elder wine in his house which did not belong to him—he said, "No"—I searched the house, and seeing the earth fresh under the stairs, as if it had been removed, I had the coals removed, and saw a sack—I had the sack removed, and then saw the cask, which I produce—I have had the care of it

ever since—it is full of wine now, as I found it—the prosecutor came while I was there, and claimed it as his property—I took the prisoner into custody.

WILLIAM BURROWS. I am the prosecutor's son, and live with him. I know the prisoner—he wished me to come here—I was not before the Grand Jury.

Prisoner. Q. Now, William, did you not come to me last Wednesday evening? *A.* No, I did not.

ELIZA BURNHAM. I made the wine, on the 25th of October, and put it into the cask—I know the cask by the bulge at the head of it—I am the prosecutor's daughter, but do not live with him—I made the wine for him.

SAMUEL DODGE. All I have come for is to say that Burrows's son was in my house at the time the wine was stolen, from seven till ten o'clock, last Saturday evening.

THOMAS BURROWS *re-examined.* I can swear to this cask—I have had it for years—I had it for a table before I could afford to buy one—my daughter made the wine for me.

Prisoner's Defence. The prosecutor did not see the wine in my house—he saw it out in the yard, and he has sworn he saw it in my house.

ROBERT JAMES THORPE *re-examined.* I believe it was half in and half out when he saw it—I had moved it there—I found it in the prisoner's house.

GUILTY. Aged 29.—*Recommended to mercy by the Prosecutor.*—Transported for Ten Years.

Before Mr. Baron Gurney.

291. CHARLES FOSTER was indicted for an indecent assault.

GUILTY. Aged 26.—Confined Six Months.

Before Mr. Justice Littledale.

292. GEORGE FORSTER was indicted for feloniously assaulting Sarah Shaw, a girl under seven years of age, with intent, &c.—2nd COUNT, for a simple assault.

GUILTY on the 2nd Count. Aged 24.—*Recommended to mercy, having a previous good character.*—Confined Three Months.

NEW COURT.—*Thursday, December 14th,* 1837.

Sixth Jury, before Mr. Common Sergeant.

293. GEORGE HEPBURN was indicted for stealing, on the 9th of December, 1 watch, value 6*l.*; 3 sovereigns, and 2 half-sovereigns, the goods and monies of Thomas Thomson.

MR. BODKIN *conducted the Prosecution.*

THOMAS THOMSON. I live at No. 44, Cotton-street, Poplar, and am a sailor. I came from sea, met the prisoner, and asked him to show me some place to sleep at—I was quite sober when I fell in with him—I had then a watch, three sovereigns, and two half-sovereigns—I proposed to drink with him, being an old friend of mine—I ordered something to drink—I got drunk, and asked him to take me to sleep, not being much acquainted with places—after being asleep some time, I awoke, and he was not there—my watch and money was gone—I did not give him the watch—I was

tipsy, and I cannot tell whether I did or did not, because having known the man for years, I had that dependence on him.

Cross-examined by Mr. Payne. *Q.* How long have you known him? *A.* I dare say five or six years—I might or might not give him the watch; to the best of my recollection I did not give it him to take care of—not on the road to the lodging-house, that I swear—I recollect in the street the prisoner said, "Thomson, give me your money;" but the reason I could not give it him, or he could not get it, I cannot say—it is very probable it was because it was in my fob—I will not swear that was not the reason—I recollect nothing about it—this is my signature to these depositions—(*looking at them—read*)—"To the best of my recollection, on the road to the lodging-house, he asked me to give him my watch to take care of—I gave it him—he asked for my money at the same time, but it was in my fob—I could not get at it."

Q. Now then, having heard this read, will you swear now that it was not because your money was in your fob, and you could not get at it that you did not give it him? *A.* I will swear I was quite intoxicated at the time—I do not know whether I should have given it him or not, but I think it is probable I should—I have known him many years, and always considered him an honest man—he has been in the house with me before.

James Hunt. I am a baker, and lodge at No. 5, Church-lane, Whitechapel, that is a coffee-shop. I remember, at half-past six o'clock on Saturday, the 9th of December, the prosecutor being brought there by the prisoner—the prisoner came into the coffee-room himself first, and then went and fetched the sailor, who was very tipsy—the prisoner appeared to have been drinking, but was quite sober enough to recollect what he was doing—the landlord asked me to assist the sailor up stairs, and I did—after that the prisoner said, "You may go down now, I will manage him"—I said "No, I would rather stop and see him into bed"—I did not leave him—I assisted to support him upright until the prisoner took off his coat and waistcoat—then we sat him on the bed—he took off his white trowsers—in taking them off, some money rattled in the pocket on the floor—it did not fall on the floor, but when the trowsers came on the floor there was money in the pocket—it was gold by the rattle, as far as I could judge—after he was put to bed, the prisoner went and took the trowsers off the chair—he said, "I must take care of this money for him"—he took the trowsers off the chair, and took the money out, and dropped a half-sovereign, and picked it up—that was the only money I saw—I said if he would put the trowsers under his head it would be quite safe, no person would have access to the room but himself—he did not do that—he took the money down—when I came down, he said he had got 4*l.* 10*s.* in his pocket, and took the money out in his hand—he then inquired for a bed for himself, and was told they were full—he said he would call in two or three hours, or otherwise he would call in the morning at eight o'clock—he then went away—he did not say where he lived—I did not see him again until the next evening at the station-house.

Cross-examined. *Q.* Who told the landlord that the prisoner had the money? *A.* The prisoner himself—he took the money out in his hand, and asked for a bed—he had been drinking, but was perfectly sober to assist this man to bed.

Thomas Green (*police-constable H* 86.) At half-past twelve o'clock [illegible] Sunday last, a description was given to me of the prisoner—in consequence of that I searched for him, and found him in Ratcliffe-highway,

about a quarter to nine o'clock on Sunday night—I believe that is half a mile from the coffee-shop—I went and asked him his name and address—he would not tell me—he said that was his business—I took him to the station-house—I did not tell him what for until I got to the station-house—I asked him what he had done with the watch—he denied all knowledge of it—he said he did not know—he would hardly speak—I said, "What have you done with the man's watch?"—he said, "I don't know what you mean"—I said, "What have you done with the man's watch that you have taken away, and his money?"—he would not make me any answer—he was in liquor, but he was able to walk—I proceeded to search him, and found this watch, a shilling, and a halfpenny, but no sovereign, nor half-sovereign—he gave no account of the watch.

Cross-examined. *Q.* Was he not drunk? *A.* Yes, he was—he was unwilling to speak—I found the watch in his fob, with the guard round his neck—I stated before the Magistrate that I asked him what he had done with the watch.

(*The witness's deposition being read, omitted to state that the witness had asked the prisoner what he had done with the man's watch.*)

Q. Now tell me whether you said one word to the Magistrate about your having asked him what he had done with the man's watch, and he denied all knowledge of it? *A.* Yes; he denied it—I told the Magistrate so—the depositions were read over to me—I told the Magistrate he had not put that down—he refused to put it down—I told the Magistrate that he would hardly speak, and said he did not know—I did not tell them, when it was read over to me, that they hadl eft that part out—I do not know why—I thought he thought proper to leave it out—the prisoner was going towards St. Katharine's Docks—I know where he lodges—he seemed to be coming away from there—he was about twenty perches from his lodgings.

(John Smith, a mariner, gave the prisoner a good character.)

GUILTY. Aged 35.—*Recommended to mercy by the Prosecutor.*

Confined Three Months.

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294. EDWARD LEE was indicted for stealing, on the 27th of November 8¼ yards of gambroon, value 1*l.* 10*s.*; the goods of William Henry Norton.

MR. BODKIN *conducted the Prosecution.*

JOHN EDWARD WELCH. I am shopman in the service of Mr. William Henry Norton, who keeps a warehouse in Pickett-street, Strand. At half-past seven o'clock on Monday evening, the 27th of November, the prisoner came and took down a piece of gambroon from a shelf—I said, "What are you doing?"—he said he wanted ten yards of gambroon for Mr. Mason, of Bell-yard—I said what was it for—he said for making shoes, or something of that kind—I said that would not do—I took down this and showed him the plain gambroon—he looked at it and said he thought that would do—I folded it up and placed it on the counter—there was eight yards and a quarter of it—he then said he wanted eight yards of flannel at 2*s.* a yard—I asked him who it was for—he told me Mr. Mason of Bell-yard, and asked if he should send the potatoes in this evening—I told him I did not know any thing about them—I know Mr. Mason—Mr. Norton deals with him for potatoes—he said the flannel was to be sent to Mr. Mason in Bell-yard—I turned to the book to enter the order about the flannel—whilst I was doing that I saw him take up the gambroon and

turn towards the door—I was rather suspicious of him, and asked my fellow-clerk if he thought it was all right—I stopped the prisoner from going out with the gambroon—I went to Mr. Mason, and then went after the prisoner, and traced him to a grocer's near St. Clement's.

COURT. *Q.* Had you booked the gambroon? *A.* No, I did the flannel.

Prisoner. You said that I took a piece and said it was to make shoes, and you gave me another piece, and then you said you took it off the counter, and you said "Stop, I will put it in some paper." *Witness.* You took it off the counter first.

WILLIAM MASON. I live in Bell-yard, and supply Mr. Norton with vegetables. I have seen the prisoner about the market assisting people—I never authorised him to go to Mr. Norton for any thing for me in my life.

Prisoner. *Q.* Was not I in your house the night this took place? *A.* Yes, but you said nothing to me about this.

GEORGE DENNY (*police-constable F* 57.) I took the prisoner on this charge—I know nothing of it—he said he was innocent of the charge.

Prisoner. *Q.* What was I doing when you took me? *A.* You had got six pounds of sugar and one half-pound of tea at a grocer's shop.

GUILTY.* Aged 18.—Transported for Seven Years.

(There were three other indictments against the prisoner.)

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295. JOSEPH MARSH was indicted for stealing, on the 9th of December, 6 skins of japanned leather, value 2*l.* 2*s.*, the goods of Isaac Hemsworth and another.

WILLIAM POOLE. I am in the employ of Isaac Hemsworth, and another—they live in St. Martin's-lane, and are curriers. At a quarter to seven o'clock on the 9th of December last I was in Maiden-lane, Wood-street, with my cart—I had a parcel in it containing six skins of japanned leather—some one gave me information and I found it was gone—this is it—it was dropped in the mud.

ELIZA MACKLIN. I am the wife of Patrick Macklin, living in John's-street, King-street, Snow-hill. I was standing in the street selling fruit, and saw two men—one put his hand in the back of the cart, and took out a long parcel, and gave it to the other man—I should not know either of them—they seemed like two gentlemen—it was dark—I could not see the size of the men.

THOMAS CREWS. I live in Maiden-lane, and am a baker. At half-past six o'clock in the morning a woman came into my shop and gave me information—I looked about, went to the door, and saw two decent-looking young men—a baker pointed one out with a parcel under his arm, which I have every reason to believe was the prisoner—as soon as they saw me coming they ran away, turned up Gutter-lane, and the prisoner was taken directly afterwards and brought back to my shop—I am perfectly satisfied that was the man I saw before, and that it was the prisoner.

Prisoner. You said you thought so. *Witness.* I was perfectly satisfied by your dress and appearance you were the man—you had the parcel before you threw it away—when I came out you saw you were perceived and you ran off—there were very few people near the spot at the time.

Prisoner. You said you only believed I was the person. *Witness.* I [illegible]ot the slightest doubt about your identity.

[illegible] was passing and heard the cry of "Stop thief"—there were

several running, I ran also, and was stopped by a person and given in charge—I wish to ask whether I made any resistance.

STEPHEN POWELL (*police-constable* 69.) He made no resistance.

GUILTY.* Aged 40.—Transported for Seven Years.

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296. JOHN DAVIES was indicted for stealing, on the 8th of December, 2 prints, framed and glazed, value 21*s.*, the goods of John Howard.

GEORGE WALL. I am a waiter at the Swan, Hungerford-market, Strand, and Mr. John Howard is the landlord. At half-past five o'clock on the afternoon of the 8th of December the prisoner came to the coffee-room and called for a small glass of wine and water—he then asked to be shown the water-closet—I then went into the carpet-room, and while there I saw the prisoner pass with two pictures in his hand—they were my master's—he had no right whatever with them—I sent for a policeman and took him.

JOHN BOYCE (*police-constable F* 73.) I took the prisoner, and have the pictures.

(The prisoner received a good character.)

GUILTY. Aged 28.—*Recommended to mercy by the Jury and Prosecutor.*
Confined Four Days.

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297. CHARLES POULDEN was indicted for stealing, on the 11th of December, 100lbs. weight of lead, value 14*s.*, the goods of George Scott, and fixed to a certain building; against the Statute, &c.

GEORGE SCOTT. I live in Moor-lane, and am a stable-keeper. I have a kitchen and stable covered with lead—I saw it safe on the 11th of December—I was at supper between ten and eleven o'clock that night, and began to hear a rumbling over head—I went and looked and found the prisoner on the roof—I asked what he did there—he said "I am looking after some pigeons"—I took him into my workshop, and then examined all round the skylight and gutter, and found, about two yards from where I took him, these rolls of lead, weighing about twenty-six pounds—I am sure it is mine.

JOHN HILL. I am an officer. I took the prisoner—I had seen him on an adjoining roof a short time before.

GUILTY. Aged 15.—Transported for Seven Years.

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298. EDWARD BRYANT and JAMES M'GRATH were indicted for stealing, on the 8th of December, 1 lamp and shade, value 7*s.*; the goods of George Moody.

GEORGE MOODY. I live in Tower-street, St. Martin's-lane, and am a broker. About three o'clock on the afternoon of Friday, the 8th of December, I had a brass table-lamp just over the sill of the door—I went out and returned home about five o'clock, and my wife told me she had lost the lamp—by direction of a lad, who had seen three people go away with it, I went in search of them, and found the two prisoners walking up St. Andrew's-street, Seven Dials—I could not find the lamp and shade—I gave them in charge of the police.

JOHN JONES. I live in Tower-street. On the 8th of December I was minding Mr. Moody's shop—he is my father-in-law—I saw the two prisoners walking up and down the street for five minutes talking together—M'Grath took the lamp, ran away, and then all three ran away—I went

in and told my mother—I am sure these are the boys—it was about half-past four or five o'clock on Friday night.

Bryant's Defence. I was not there at all—I did not see any thing of the lamp—I was going home, and this man came and collared me.

M'Grath's Defence. I never saw any lamp, we were going home about half-past seven o'clock, and the gentleman came and took us—I will take my oath I was not near the street—I never saw any lamp at that time.

BRYANT—GUILTY. Aged 16. } Confined One Month.
M'GRATH—GUILTY. Aged 17. }

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299. ELIZABETH SULLIVAN was indicted for stealing, on the 3rd of December, 1 watch, value 1*l.* 10*s.*; 3 watch keys, value 6*d.*; 1 split ring, value 1*d.*; and 1 watch-ribbon, value 1*d.*; the goods of John Rosewarne, from his person.

JOHN ROSEWARNE. I am a sailor. On the 3rd of December I was half tipsy, and met the prisoner—I went to her lodgings, and went to bed—I had a watch—I kept it in my fob—it was safe when I went to bed—I did not take off my trowsers—I took the watch out as I was going to bed, and it was eleven o'clock—I awoke in the morning, before daylight, and my watch was gone—I called the policeman, he came, and could not find it, but he searched the yard and found it in a dunghill—she was in bed when I awoke—this is my watch.

Prisoner. You was very tipsy, and said you were so tipsy you could not go to bed—you came home with me, and I helped you off with your jacket—you asked me if there was a water-closet, and went into the yard to the water-closet. *Witness.* No, I did not go out of the room.

Prisoner. There was a man saw him fumbling about the ashes, and the man came and said, "I will not go near him, he has hidden something"—he came up into my room and had plenty of silver—he did not lose a penny in my room—I asked him if he had lost any money—he said "No, only my watch"—I said, "You will recollect where it is, and what you have done with it." *Witness.* No, she did not.

THOMAS WRIGHT (*police-constable K* 72.) I was sent for on the 3rd of December—the prisoner denied all knowledge of seeing the watch—I went into the back yard, and the prosecutor said, "If you come back she will make it up with you"—I took a stick and found the watch buried about three inches in the ashes—I came and took her—she said, in going along, that she would give me a glass of rum to make it up—I said, "I did not do my duty in that way."

Prisoner. I had no money to treat you with—you said you would give me a *lifter* here—he said to the Magistrate, "I know her a noted character."

Jury to JOHN ROSEWARNE. *Q.* Had you any money? *A.* Yes, 10*s.* when I came on shore, and I had two half-crowns safe in the morning—what I gave her I cannot tell.

GUILTY. Aged 33.—*Recommended to mercy by the Jury.*
Confined Six Months.

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300. MARIA PIBERS was indicted for stealing, on the 12th of December, 11 pairs of stockings, value 15*s.*, the goods of Robert Parnell.

JOHN EVANS. I am shopman to Robert Parnell, a hosier in Totten-

ham Court-road. On the 12th of December I was at dinner in the kitchen —the prisoner came, and unhooked the stockings from the outside, and put them under her cloak—I ran up, saw her with the stockings under her cloak, and took her back to the shop.

Prisoner. Q. How could I do that when I had some bread in my lap? *A.* You had, and the stockings under the cloak also—there were three men in the kitchen, and all saw the stockings under your cloak —one went with me, and his evidence was not required.

Prisoner. He did not take me into any shop—I am a poor old woman, and never stole any thing in my life—on this afternoon I went to Mr. Jones's to get some bread—I came out with it, and had it in my apron—in coming down Chapel-street I passed and saw these things lying along the place—I never put my hand on any thing—this man came and pushed me aside, and down at my feet laid the stockings—it is not likely I could have taken them with two loaves in my lap—the young man came and took me, and called the police.

Jury to JOHN EVANS. Q. How high were these up? *A.* About two feet from the ground, hanging by this string—when she got outside she had not got them sufficiently far under her cloak, so that I saw them.

GUILTY. Aged 63.—*Recommended to mercy by the Prosecutor.*
Confined Four Days.

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301. JOHN PEARMAN was indicted for embezzling, on the 20th of August, the sum of 15*s.*, which he had received on account of Samuel Newbold Townley, his master.

GUILTY.—Confined One Month.

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302. JOSEPH HOWE was indicted for obtaining, by false pretences, from Alfred Plater, 2 sovereigns, 1 half-sovereign, 2 half-crowns, 3 sixpences, and 3 pence, 2 orders for the payment of 5*l.* each, and 1 promissory note for the payment of 5*l.* the monies and property of John Cross.

ALFRED PLATER. I live in Providence-row, Cambridge-heath, and am clerk to John Cross, a salesman at Leadenhall-market. On the 16th of November the prisoner came to me and asked for Mr. Baker's account—we sell for Mr. Baker, and have to pay him money—he represented himself as coming from Mr. Baker—I had known him before, and had paid him money for Mr. Baker—I told him it was not quite ready—he said he would call again—he called—I paid him two £5 cheques, a £5 note, and some cash, amounting to 17*l.* 16*s.* 9*d.*—there were two sovereigns, one half-sovereign, and two half-crowns—I paid it him believing he called for Mr. Baker, as his servant—if I had not believed it I should not have paid him.

JAMES BAKER. I live in Backchurch-lane, and am a butcher. The prisoner was in my service more than twelve months ago—he was not so on the 16th of November—I did not authorise him to get this money—I did not receive it.

JOSEPH BROWN. I am gaol-keeper of Maldon. I took the prisoner at Southminster—he told me he had taken the money, and he expected he should be transported.

Prisoner. I have nothing to say—I am very sorry—I took it and spent it.

GUILTY. Aged 23.—Confined Two Years.

KENT CASES.

Before Mr. Common Sergeant.

303. THOMAS MAXWELL and CHARLES PECK were indicted for stealing, on the 3rd of December, 2 pairs of trowsers, value 11*s.*; 1 smock-frock, value 4*s.*; and 1 pair of shoes, value 5*s.*; the goods of John Anthony Shepherd.

JOHN ANTHONY SHEPHERD. I belong to the ship *Maitland*, which is in the river at Deptford. (I gave the name of John instead of John Anthony before the Magistrate)—between three and four o'clock on Sunday, the 3rd of December, I went down to my box to get a jacket and go on shore—I discovered that my box had been broken open and the articles stated stolen—I had seen them in the morning about eleven o'clock—this is my property—I had seen the prisoners that day—they belong to the ship—they went on shore in the morning and the afternoon.

WILLIAM SMITH (*police-constable R* 49.) On Sunday the prosecutor came to me and told me he had been robbed by his shipmates—I went to a public-house and found the two prisoners—Maxwell was sitting on the table tying up the bundle, and Peck was a short distance off—I asked Maxwell if the bundle belonged to him—he said, "Yes"—I said, "You can tell me what is in it?"—he was then confused—I took the shoes and asked if they were his, and he made no answer—I then asked Peck if they were his—he said nothing—I gave them to the prosecutor—he said they were his.

JOHN MENINICK (*police-constable R* 112.) I went and saw Peck—I asked him if the bundle was his—he said every thing in the bundle was his—I then took him.

Peck. I said the handkerchief was mine, nothing else. *Witness.* No—he said every thing the bundle contained was his—I then went to the station-house—in going along he said he would tell me the truth, and he told me that he saw the other prisoner, Maxwell, go to the box and take the things out, but he did not know whose box it was.

CONRAD EDWARD BEIDERBECK. I was working the ferry at the water gates, and took several of these men off—they would not pay me when I got them off—in the afternoon I saw my partner bringing these two prisoners on shore—I rowed off and told him not to land them till he got the money—Peck came into my boat, and said, "Don't make a noise, I want to *raise the wind* upon these things, and then I will pay you"—he told me what this bundle contained, and said my mother or my grandmother dealt in wearing apparel, and would she buy them—I said, probably my mother might buy them.

Peck. He took us on board in the morning—we had nothing to pay—I told him I dare say I had something I could *raise the wind* on—I was going on shore after dinner—I went down to get a pair of drawers and a blanket—while I was there Thomas Hunter asked me for a handkerchief to take something on shore in—I brought it him—he said, "I have enough to take on shore to get money to pay the man for the passage, and something to drink"—he came up, gave me this bundle under my arm, and asked this man if his mother or grandmother would buy the things, and then he told me—I went to Hunter, and we went to the Blue Bells—we had two pots of beer, and while we were finishing the second pot Hunter [illegible] the landlord we had left the bundle with, and while another man [illegible] in a pair of trowsers the policeman came in—I said the hand-

kerchief belonged to me, and Maxwell said the things were his—I told them, as we were going to the station-house, that Tom Hunter had given me the bundle, and then Hunter said he would see it all righted, but when he got to the station-house away he *bolted*, and since then he has committed a robbery of 10*l.*

WILLIAM SMITH. I saw Hunter that night, but neither of the prisoners said any thing then about him—they said before the Magistrate that Hunter gave it to them.

JOHN ANTHONY SHEPHERD *re-examined.* There was a man of the name of Hunter on board, and I believe he has stolen some things.

Maxwell's Defence. On Sunday, the 3rd of December, the boatswain called me and asked me if I liked to go on shore—he said, "Have you got any money?"—I said, "No"—he gave me 5*s.* or 6*s.*—I came on deck to look for a porter, and saw this man in the boat—I jumped into the boat and went on shore—there was a *row* with them and the waterman—I gave the waterman 10*d.* and said, "Come into this public-house and have a drop of beer"—I went out to get some tobacco—I went in and there was another man by the side of me, he had a pair of trowsers under his arm, and this bundle was put on the table—I said to the man, "Why don't you put the trowsers into the bundle?"—I took the bundle, opened part of it, and then the officer came in—this man never told me that it was his bundle till after we got to the station, and then he told the officer to go on board the ship—this other man has gone off, and we have never heard of him since—I lost my coat at the same time—the Magistrate sent for Hunter, but he was gone—I was only two days in the ship—I had money in my pocket at the time. NOT GUILTY.

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304. ANN SULLIVAN was indicted for stealing, on the 25th of November, 1 saw, value 3*s.*, the goods of Lewis Davis and another.

CHARLES JAMES FOX. I am shopman to Mr. Lewis Davis and another at Woolwich. On the 25th of November I had a saw hanging under the window—I missed it—this is the one that was lost on the 25th of November—(*looking at it.*)

WILLIAM BOOTH. I am a pawnbroker, living at Woolwich. I took in this saw of the prisoner on the 25th.

Prisoner. A woman gave it to me—she is a traveller.

CHARLES STEWARD WARDEN. I took the prisoner—she said a woman gave them to her who travels about the country.

GUILTY.—Confined Six Months.

(There was another indictment against the prisoner.)

SURREY CASES.

Before Mr. Recorder.

305. JAMES BUTCHER was indicted for stealing, on the 2nd of December, 1 pewter measure, value 1*s.*; and 1 dram-glass, value 6*d.*; the goods of Henry Humphries.

WILLIAM JACKMAN. I live with Henry Humphries, who keeps a wine vaults at No. 118, High-street, Borough. I saw the prisoner there on the 2nd of December, about ten o'clock at night—he had two women and a man with him—he called for a quartern of gin—I set it on the counter with a glass—I had to go back to serve another customer with some vinegar—I turned

and was informed that the prisoner had gone out—I went out, but did not see him—I met an officer and went after him—we caught him by the Town-hall—we brought him back to the house, with his friends, and he gave me the glass into my hand into the shop—when he got in he put the measure behind him on the form—I saw him do so—he took it from behind him—I do not know whether it was in his coat pocket or not, but he took it from behind his coat.

Prisoner. I gave him up the measure and glass, but if I had been a mind to have gone off, I could—my friends had gone off who were to pay for the liquor, and I went after them—I had no thought of stealing the glass or the liquor, and I said so at the time. *Witness.* The people went with him—when we brought him back, he said he meant to go and get some more money, but he had got a hundred yards off, and that was not his way home—his friend paid for the liquor after we brought him back.

COURT. *Q.* Who had been drinking? *A.* They all drank inside the house before they went out—they all went out together, but I did not see them go out—when the prisoner came back he said he meant to pay for it—that he meant to get some more money, but the liquor had been all drank.

JURY. *Q.* Did he make any resistance? *A.* No—he came back quietly.

WILLIAM SOPP (*police-constable M* 162.) I saw the prisoner standing at the door of the prosecutor's house—he had the measure in one hand, and the glass in the other—I did not follow him, but passed on to the end of King-street—I waited there, and the prisoner and the other passed me—I returned towards the shop, and met Jackman, who said some one had carried off a measure and glass—I told him the way they had gone—we started in pursuit of them, and stopped them near the Town-hall—the prisoner denied having any thing of the kind in his possession—I brought them back, and he delivered up the glass—he took the measure from somewhere behind, and placed it on a seat behind.

Prisoner. I said to the young man, "It is all right—I have got it."

WILLIAM JACKMAN *re-examined.* When he came into the shop, he said so—I had not heard him speak to the policeman—I was running after a woman who I thought tried to escape, and I brought her back—I saw the prisoner put the measure behind him in his hand—he did not say a word.

Prisoner's Defence. I was in company with some friends, and was nearly intoxicated—I never meant to steal the glass, or I had time to escape with it—I would hardly steal a thing so useless, and of such small value.

WILLIAM SOPP *re-examined.* He appeared a little the worse for liquor.

WILLIAM JACKMAN *re-examined.* He had had a little drop, but he did not seem very bad—he appeared to know what he was about very well—I have never seen him at our house before to my knowledge—his friend paid for the liquor at the station-house. NOT GUILTY.

Before Mr. Common Sergeant.

[illegible]. GEORGE ANDREWS was indicted for stealing, on the 9th of [illegible]er, 5 skins of leather, value 8s.; the goods of John Coates, his

INDEX.

CENTRAL CRIMINAL COURT.

COWAN, MAYOR. THIRD SESSION.

A star (*) denotes that the prisoner has been previously in custody—An obelisk (†), that the prisoner is known to be the associate of bad characters.

LONDON AND MIDDLESEX CASES.

OLD COURT.—*Monday, January 1st,* 1838.

First Jury, before Mr. Recorder.

312. CHARLES DIGBY was indicted for wilful and corrupt perjury.

NOT GUILTY.

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313. WILLIAM BRENNAN was indicted for stealing, on the 23rd of December, 1 printed book, value 3*s.*, the goods of George Elvin; to which he pleaded.

GUILTY.—Aged 13.—Confined One Month.

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314. ELEANOR WILLIAMS was indicted for stealing, on the 22nd of December, ¼ of a yard of woollen cloth, value 1*s.* 6*d.*; and 300 patterns of waistcoats, value 5*s.*; the goods of James Tucker and another, her masters.

MR. CLARKSON *conducted the Prosecution.*

JAMES TUCKER. I am in partnership with my brother—I have no other partner—we carry on business in Noble-street, in the City. The prisoner and her mother were in our employ—on Thursday, the 21st of December last—I delivered to the prisoner several pieces of cloth, for the purpose of having letters worked on the ends of each—among the pieces that I delivered there was one piece that measured 15 yards—I measured the whole of them on the Thursday, and she completed her work on Friday morning, about ten o'clock—I measured a piece that was 15 yards, and missed from it a ¼ of a yard—it was of a blue colour—I found three of the pieces had been cut—half a yard was cut from one of them—I then went with Herdsfield the officer to the prisoner's mother, and he found, in the prisoner's box, these patterns of waistcoating—these pieces are duplicates of the goods we have formerly shipped, and it is possible we may want to refer to them, when merchants want the same sort of goods again—they are tied in bundles, and have a slip of paper put under the twine with the mark of the package on it—the tickets were gone when they were

found in her lodgings; they were in such bundles as we kept them, but they have been opened since—I knew them the moment I saw them—we did not find the piece of blue cloth—the prisoner's sister pointed out her box—the prisoner was lying on the bed in a state of intoxication—the sister was not in our employ.

Cross-examined by MR. PHILLIPS. *Q.* These strips are of little value in themselves? *A.* I do not know what they might realise if they were sold—they are taken from the ends of the goods to preserve them as references—we have a large quantity of them—they are invaluable to us—they were taken from a part of the premises where she had no right to go whatever.

THOMAS HERDSFIELD. After the search had been made at the lodging, I accompanied the prisoner to the Giltspur-street Compter—I do not think I said any thing to her about searching her—I was about to take her down the passage to the matron, when she called me aside, and took from under her stays this piece of cloth, and said it was her master's property—she hoped he would be merciful to her.

JAMES TUCKER *re-examined.* This is our property, and is the piece that came from the 15 yards.

Cross-examined. *Q.* Did you mark it? *A.* No, certainly not—I had no suspicion till I received information.

GUILTY of stealing the cloth only. Aged 26—Confined Four Months.

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315. JOHN JONES was indicted for stealing, on the 19th of December, 1 handkerchief, value 5*s.*, the goods of James John Adams, from his person.

JAMES JOHN ADAMS. I live at No. 39, Finsbury-square, and am an apprentice of Mr. Green, of St. Thomas's Hospital. I was in Fleet-street, on the night of the 19th of December, about 10 o'clock—I found that the shadow of a bonnet was close to me—I put my hand to my pocket, and felt my handkerchief safe—I felt again and missed my handkerchief—I turned and saw a female and the prisoner conversing together, and looking at me—I went to them and touched the woman, and saw the handkerchief in the prisoner's hand—he was about to leave the curb-stone—he ran into the road—I pursued him to the corner of Fetter-lane—I saw him throw something, which I imagine was my handkerchief—he ran up the lane about three yards—I took him, and some person brought my handkerchief to me, which was wet with mud—this is it—the one I saw in his hand looked like this—he ran away and threw something away.

Prisoner. I never had the handkerchief in my hand—it is the first time I was ever in prison—I am innocent—I never saw the woman in my life.

Witness. I am sure you were talking to the woman—you were standing close to each other.

ROBERT FITZGERALD. I am Inspector of St. Dunstan's nightly watch. I heard the cry of "Stop thief," and I stopped the prisoner in Fetter-lane—he was running at the time.

Prisoner. I was not running.

JOHN CORFIELD. I am an officer of St. Dunstan's. I took charge of the prisoner—I have the handkerchief, which was given to me by the prosecutor—the prisoner gave his address, "No. 8, Plough-court," and no such person is known there.

JAMES JOHN ADAMS *re-examined*. It has my mark on it—it was delivered to me just at the entrance of Fetter-lane, and about a dozen yards from there the prisoner appeared to me to throw something away.

Prisoner. I am innocent of the charge—I hope it will be a warning to me, if you have mercy on me—I was never in trouble before.

GUILTY. Aged 27.—Confined Two Years.

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316. JOHN BROWN was indicted for stealing, on the 11th of December, 1 coat, value 10*s*.; 1 waistcoat, value 3*s*.; 1 pair of trowsers, value 10*s*.; and 1 gown, value 7*s*.; the goods of Robert Childs.

JAMES PARKES (*police-constable N* 150.) On the afternoon of the 11th of December, about half-past three o'clock, I was on duty in Dalston, between Hackney and Kingsland-green—I met the prisoner with this bundle of clothes—he appeared in a confused state—he was walking down behind a lamp-lighter—I stopped him and asked him what the bundle contained—he said a blue jacket, waistcoat and trowsers, and he was going as cook on board a vessel bound for Sidney—I looked in it, found the trowsers, and gown, a waistcoat, and a black coat—I asked him where he brought them from—he said from his lodgings, the Angel at Islington—in going to the station he tried to make his escape—I succeeded in taking him again, and took him to the station at last—he said he found them in a field behind a hedge—on the Sunday following I found the owner of the property.

AMELIA CHILDS. I am the wife of Robert Childs, of Stoke Newington, a carpenter. These are my husband's things, and the gown is mine—I saw them safe about half-past nine o'clock on the 11th of December—I laid them up stairs in a box—it was not locked—my house is half a mile from Dalston—I did not miss them till the 17th, (the Sunday following,) not having occasion to go to the box—the prisoner had no business with any of them—I never saw him before—they are worth 1*l*. 10*s*.

Prisoner. I have followed the sea forty-eight years—I went into the country to look for some captains to get me into Greenwich College—in coming along the road I found these things honestly—I had had it in my possession three quarters of an hour when the policeman stopped me.

JAMES PARKES *re-examined*. He would give no description of the field where he found them—they were wrapped in this old handkerchief, which is not the prosecutor's—I found on him some bread and meat as if taken he took them from gentlemen's houses.

GUILTY*. Aged 75. Confined Two Months.

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317. WILLIAM RAVER was indicted for stealing, on the 19th of December, 48lbs. weight of mutton, value 1*l*. 4*s*., the goods of Daniel Cork.

DANIEL CORK. I live in Leadenhall-market, and am a meat salesman. The property in question was produced to me by the officer—it was the [illegible] that had been in my shop, and was unsold—my man can identify it [illegible] than me.

JOHN GRIMES. I was on duty in Leadenhall-market, on the afternoon [illegible] 19th of December—I observed the prisoner on Mr. Cork's pre[illegible] saw him go away hastily—I followed, and took him, and found [illegible] of mutton weighing about the weight that Mr. Cork has

stated—it is what the butchers term a pair of hind quarters—I asked him what he had got there—he said "Nothing"—I said, "Come back"—I brought him back, and detained him—one of the men knocked at Mr. Cork's door, and he said he had missed a pair of hind quarters of mutton.

HENRY WEBB. I am in Mr. Cork's employ. I saw the hind quarters which the officer took from the prisoner—I left them safe at one o'clock, when I went away, and the next morning they were gone—I can swear to them—they were worth about 24*s.*—I saw the mutton before the Magistrate.

Prisoner. I was unfortunate once, but returned about five years ago—I was out of work, and was driven to it by distress, and the fear of having my goods seized—I have a wife and one child.

GUILTY*. Aged 33.—Confined Three Months.

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318. JOHN DAVIS was indicted for stealing, on the 27th of December, 1 hat, value 5*s.* 6*d.*, the goods of Henry Joseph Niblett.

JOHN SAUNDERS. I am shopman to Mr. Henry Joseph Niblett, a silversmith and pawnbroker, in Farringdon-street. On the evening of the 27th of December I was in the shop, and saw the prisoner about half-past seven o'clock, as I was engaged serving a customer—I observed the prisoner come and take a hat off a peg—he ran off across the road—I pursued and took him with the hat in his possession—he made a desperate resistance, and tried to get away, but I succeeded in keeping him—he did not strike me, but tried to get from my grasp—this is my master's hat.

GUILTY*. Aged 31.—Confined Six Months.

OLD COURT.—*Tuesday, January 2nd,* 1838.

Second Jury, before Mr. Common Sergeant.

319. ALFRED BOONE and GEORGE QUANTOCK were indicted (with *Ann White and Mary Collins, not in custody*) for conspiracy.

MESSRS. PRENDERGAST *and* PHILLIPS *conducted the Prosecution.*

COATES FENNELL. I am a tea-dealer, and live at No. 18, Lawrence Pountney-hill. I know both the defendants—on the 20th of April, I called at the house of the defendant Boone, in Paradise-row, Chelsea—I think it was No. 64—I am in the habit of calling at houses for orders—I saw a person there who represented herself to be Mrs. Boone—I solicited an order—(the defendant Boone was not within at that time)—I have seen that woman since—she is called Ann White—she represented herself as Boone's wife—when I asked for the order, she said Mr. Boone had gone to our house to give me an order, but as I should not see him she would give me an order herself—I had called at the house once before, and left my address—the order she gave me amounted to 5*l.* 19*s.* 0½*d.*—I told her my manner of doing business was for ready money—she said, if I had a mind she would give me part payment then—I said that was not the general way of doing business, the general way was to receive the money when we delivered the goods—I went away without any money—I sent my porter with the goods the next day (Friday)—he did not bring back any money, nor the goods—on the 1st of May, in consequence of what I heard, I went to Boone's house in Paradise-row, and found it

shut up—I then set off to Mr. Bromwell, the landlord, and got some information from him—I afterwards went to Mr. Davis, along with Mr. Bennett, and in consequence of what Mr. Davis said, I went to No. 9, Fann-street, Goswell-street—I saw a female there dressed in widow's clothes—I don't know whether she is one of the female defendants, White or Collins, who are not in custody—she called herself Weed—after watching the house some time I saw the defendant Quantock, (who went by the name of Collier) at the house, No. 9, Fann-street—Mr. Bennett was with me the first time, and he stood in the passage at the time, I saw Quantock in the parlour—Quantock told me his name was Collier—Mrs. Weed introduced him to me by the name of Collier—she said "Mr. Collier is returned"—Quantock was present then—I went in to ask if Mr. Collier was at home, and she introduced him, and said, "Mr. Collier"—Quantock asked if I was the person who had been a sheriff's officer—he said his name was Collier—I asked him if he knew a person of the name of Boone—he said, "Yes," he had been with him in the morning, and he should see him again, and would not leave him until I had an interview with him—Mr. Bennett was in the passage at this time—a person who I have since seen, by the name of Leather, was there—Quantock then left the house—I went to a public-house opposite, and staid there two or three hours—I saw Quantock return, I think about nine o'clock—I then said to him, "Now, Mr. Collier, have you seen Boone?"—he said, "I have, and what is that to you? you will not see him;" what the devil did I want to disturb his peaceful house—I think I said, "You are a d—— rogue, you have got a shop open on St. Andrew's hill, you think we don't know it, but we do"—he said, "I will bet you 50*l.* that I have not got a shop there"—I said, "I never bet with rogues."

Q. While you were watching at the public-house, did you and Mr. Bennett at any time go across to the house where Mrs. Weed was? *A.* We did, and saw her, and she told me her name was Mrs. Collier—she had told me at first that her name was Weed, and that she was left with a handsome income—when she told me her name was Collier, I said I had taken her to be an honest woman, but I found she was one of the gang, and her information was useless to me—she said, Collier was her husband—the first time we went she said that Leather was a man that had come for work, and she did not know him, but the second time she said he was her father—I did not see any man leave the house with a parcel that evening, but I believe Mr. Bennett did—in consequence of information I afterwards went to a gentleman named Dimsdale, in John's-row, Bath-street, City-road, and from what he said I went to Brook-hill with Mr. Davis, Mr. Taylor, Mr. Bennett, and Mr. Bromwell—I do not recollect the number of the house we went to—it was something like a broker's shop, but there was nothing there but some knobs for drawers, and a few old scales—the name of Quantock was over the door—I just went to the door, but did not go into the shop—I saw Quantock in the shop—he is the man who had been introduced to me as Collier—I said, "Mr. Collier, gentlemen," introducing him—he said, "My name is not Collier, it is Quantock, I will give you my card"—I said he had passed by the name of Collier the night before—he said he had passed by the name of Collier to suit a particular purpose—we went away, and I afterwards went to the shop on St. Andrew's-hill, and saw two females in the shop there—[illegible] one did not give any name, the other went by the name of Betsy

White—I did not know the elderly one before—we asked her name, but she would not tell us—next day Quantock came to me and said, "Your name is Coates Fennell, Sir"—I said, "Yes, it is"—he said, "I am going to order an action against you all," and either that day or the following I received this writ (*looking at it*)—he did not say what the action was for, and I did not ask him—I told him to do as he liked—no action has been proceeded with.

Cross-examined by MR. CHAMBERS. *Q.* Do you carry on business on your own account? *A.* I do, as a tea and coffee dealer—I go round and solicit orders for myself—I have carried on business nine months in Lawrence Pountney-hill—before that I was not in business—I was shopman at Mr. Danby's, a grocer, in Whitechapel—I was apprenticed to Bickers and Co., grocers—I have been out of my apprenticeship four years—during that time I have been serving in three shops—I was nine months with my last master—about nine months with the previous one, and with the one before about eight months—the rest of my time I was with my brother and sister—not in any employment, except going to the Docks for Brockall and Knight, as my brother was the head man there—I have a warehouse and counting-house at Lawrence Pountney-hill—I first of all met with these customers by calling on them myself—I went to No. 9, Fann-street, the first week in May—it was on that occasion I first saw Quantock—I do not know whether it was the first day I went there that I saw him—I went several times—I saw him the last time I went into the house—I saw him twice in the same day—that was the last day I went—on the several other occasions I went there I saw Mrs. Weed—I had not seen Boone—I did not know him—I saw nobody there besides Mrs. Weed and the person I believe to be Leather, except some children—I went into the house on those occasions—I found a workshop at the back of the house, but there was nothing in it—I saw no tools or wood there—when I saw Quantock he was in the house—I had not seen any body but Mrs. Weed before Quantock came in—Mr. Bennett was within hearing when the conversation took place between myself, Mrs. Weed, and Quantock—I saw Quantock again after that, the same evening—I was against the door of No. 9, Fann-street then—it was then he wanted to bet about the place at St. Andrew's-hill—it was after that I went to St. Andrew's-hill—I do not know whether we did not go that night—I believe we did—yes, we did—Mr. Bennett went with me.

Q. Do you intend to represent that you recollect every word accurately that was uttered by Quantock? *A.* I can so far as having said the words that he uttered—I have told all I have now mentioned, before, to Mr. Davis and Mr. Taylor—every thing I have said to-day.

Q. Besides what he said with regard to his knowing Boone, did he not say that Boone worked for him? *A.* He did not—he did not say how he came to know Boone—I did not ask him—I asked him where Boone was to be found, and he said he had seen him—that was on the first occasion—he said he had seen him that morning—I asked him where he was to be found—he said he should not tell me, or something of that sort—he said he should probably see him again, and would take care he should not go away until I had seen him—when Quantock came back the second time, about nine o'clock, he went into the house—there was a female with him, and I think a man—I did not see Quantock in the workshop—it was a place made for a kitchen, but they took it of Mr. Dimsdale to make

a workshop of—the female in the house told us it was a workshop—it is at the back of the house, in the yard—I did not see Quantock there—Mr. Bennett was with me the second time, at nine o'clock—nobody else—Mr. Bennett did not ask Quantock any questions—he left it all to me—I did not see any cart there—I went away from Fann-street just after we had seen Quantock—we went from there to St. Andrew's-hill—I went to Guildhall, and was examined—I saw Quantock there—he came there of his own accord, for any thing I know.

Mr. Phillips. *Q.* When he appeared there, I believe he was held to bail to take his trial? *A.* Yes—he had come as a witness for the other defendants—I took the defendant Boone into custody myself, a long while after I had seen Quantock—I saw him at the Angel in Farringdon-street—I had never seen him before, but he owned to the case, and said he would pay me—I took him to the Compter, and he appeared at Guildhall next day Quantock came as a witness for him—I told the Alderman what Quantock had done, and he was detained—Boone denied all knowledge of Quantock—he said he never knew such a person as Quantock—he said that before he had seen him—he said he knew Collier, but did not know such a person as Quantock—Quantock and he were together at Guildhall—they appeared to know one another—they whispered when they were at the bar—I saw that—Quantock went by his own name at Guildhall—Boone heard that, and after that they whispered together.

Q. When you saw Boone, and took him into custody, did you ask him any thing about Quantock? *A.* I did—I asked him where he lived—he said he did not know such a person—I mentioned the name of Collier to him—he said he knew Collier—I told him they were all of one gang, and I would transport them all—he then said, "I suppose it is money you want"—I said, "No, it is not; I will transport you all for the good of the country"—he said, "I will pay you, if you like; I will pay you part, and give you good security for the rest"—I said, "You know you have swindled me and several others at Chelsea"—I did not tell him what they had got from me, nor mention any sums to him—when I said I would transport them all, he said, well then, I might take the consequences of it—I do not know of any thing else that passed.

Cross-examined by Mr. Payne. *Q.* When was it you saw Boone, and took him into custody? *A.* I did not take notice of the day—I did not make any memorandum of the conversation—it was the day before he went before the Magistrate—the conversation was in the watch-house—two or three people were present—the policeman and the officer—there were three men besides myself in the watch-house at the time—he said he knew Collier, but did not know Quantock—I represented myself to him as the person who had sent goods to his house at Chelsea, and told him my name—he then said he would pay me part, and give me security for the remainder.

George Davis. I am a grocer, and live at Knightsbridge. On the 7th of April last, the defendant Boone came to my house, and wished to be supplied with grocery, and to have credit, but he was to pay for the first parcel—he said he had taken a shop in Paradise-row, and was going to commence business—that he was a cabinet-maker, and had taken this shop with his wife—he gave me a reference to a person named Collier, No. 9, [illegible] street—in consequence of his statement I let him have the goods—[illegible] pay for the first parcel on delivery, which was 9*l.* 13*s.* 9*d.*, but he

only paid 4*l.* 10*s.*—it was understood, on the first parcel being paid for, and his reference proving satisfactory, that he was to be supplied with another parcel at one week's credit—I then went to the reference, No. 9, Fann-street, Goswell-street, and saw a little woman—she was not in widow's mourning—I asked for Mr. Collier—she said her husband was not at home, but would be at home at ten o'clock at night—that he was gone to Deptford—I then said Boone had referred me to her husband, and asked her if his statement was correct—(I afterwards saw that same woman at St. Andrew's-hill—she called herself Mrs. Collier there, the same as she did in Fann-street—she was keeping the house on St. Andrew's-hill—I asked for her husband—I expect Boone represented the Mr. Collier there, but I did not see him there myself—when I saw the little woman in Fann-street)—she said, "Boone has served his apprenticeship to my husband, and he now works journeywork as a cabinet-maker for my husband; he has married a servant-girl at Chelsea, with whom he has received about 30*l.*, he has got about 10*l.* property of his own, and intends to open this shop for his wife, and he will still carry on the cabinet-making business himself; he has now work at home for my husband, which, if he brings home on Saturday, he will be paid for"—all this corresponded with what Boone had told me himself—in consequence of this I let the goods go—I saw Boone again on the 15th of April, and mentioned to him the conversation I had had with this woman in Fann-street, and told him I was satisfied—he had previously told me himself what Mrs. Collier had told me—he promised then faithfully to pay me for the goods every week—when I told him I had not seen Mr. Collier, but Mrs. Collier, he said it was all quite correct, that I could see Mr. Collier at any time—I went again, but could not see Mr. Collier—Boone was to pay me for the goods on the following Monday, when he would want more—I let him have four parcels, which, altogether, came to 18*l.* 6*s.* 10½*d.*—he had paid 5*l.* 3*s.* 5*d.*, the balance of the first parcel before he had the second, and then he had four others, which came to 18*l.* 6*s.* 10*d.*—he never paid any part of that—I went to Fann-street again twice in the week before I parted with more goods—I saw the same woman again, and she told me the same story both times, that her husband was not at home, but would be at home after ten o'clock at night—I repeated the first conversation I had with her to Boone—I did not repeat the second—on the second Sunday after this I missed Boone from Paradise-row—I believe he had run away on the Monday morning on which he had promised to pay me—I received a letter, in consequence of which I went to the house on a Monday morning, in the last week of April I think—it was about three weeks after the first order—I found he had broken his name off the board—he had absconded, and the fixtures were taken away—there was no stock left behind—on the following Monday week I saw Quantock on Brook-hill, when I was in company with Mr. Bennett, Mr. Taylor and Mr. Fennell—we found they were at St. Andrews-hill after he ran away—I had been there myself, and seen the little woman there on Sunday the day before, I saw Quantock—I went into the shop with other parties who had been defrauded, and saw the woman—I said, "It is most extraordinary to find you here keeping a shop from Fann-street, after Boone has absconded from Paradise-row, and I verily believe you are all a set of swindlers together"—I asked her for her husband—there was a man in the parlour, who I said I would see, but he escaped by a side door and got away directly he heard the name of Collier mentioned

he hung his head down—I said, "Collier is in the parlour, is he not?" she said, "No he is not," I said, "There is some man in the parlour, let me see him, perhaps that is Boone,"—he then crouched down and made his escape—next day I went with others and saw Quantock on Brook-hill—I was introduced to him by Mr. Fennell, who said, "Here is Mr. Collier," Quantock looked as all bad people do, ready to drop, and said, "My name is not Collier, my name is Quantock"—Mr. Fennell said, "Why you represented yourself to me as Mr. Collier yesterday, Mr. Quantock, why did you do so?"—he said, "I did answer to the name of Collier yesterday, but it was to suit my own purpose, you may take what advantage you like of it"—Mr. Dimsdale was not present—Mr. Bennett, Mr. Taylor, Mr. Fennell, and myself were present—(Mr. Taylor is now very ill in bed)—I thought Quantock would have struck Mr. Fennell—I intimated that he must be connected with those swindlers in Paradise-row—I said, "Mr. Collier, I must have some conversation with you respecting that swindling transaction of Boone's"—he directly changed his countenance from a florid complexion to a pale white, and was ready to drop, and said, "My name is not Collier, it is Quantock."

Q. Did you go to Fann-street after the house in Paradise-row was closed? *A.* Yes, the day before the conversation with Quantock, and there we saw the widow woman called "Weed"—(I had previously seen Mrs. Collier in St. Andrew's-hill)—I said to Mrs. Weed, "I have just seen Mrs. Collier at St. Andrew's-hill, and said, 'This looks very suspicious that she should open a chandler's shop there with my goods, which she got in Paradise-row,'" she said, "Don't make a noise here, the parties have all left here, my name is Weed."

Cross-examined by Mr. Payne. *Q.* What time of day did you go to Paradise-row, at the end of April? *A.* The very first thing in the morning—Boone had appointed to pay me on Monday morning—the letter said, he should be home too late on Saturday from Fann-street to receive his money, and we went the first thing on the Monday morning—I had been there on the Saturday—my apprentice brought the letter to me from Boone on the Saturday.

Cross-examined by Mr. Chambers. *Q.* When was it you went to Quantock on Brook-hill? *A.* The following Monday week that Boone ran away—I had been to Fann-street on the Sunday before and saw Mrs. Weed—Mr. Fennell, Mr. Bennett, and Mr. Taylor went with me—it was on the Sunday evening, after we had seen Mrs. Collier at Brook-hill—we had agreed to meet about five o'clock in the evening, having got information that the woman Collier was at Fann-street—we went to Fann-street about seven o'clock in the evening with my man, who delivered the goods, and saw Mrs. Weed there—we stopped there two or three hours, but not in the house—we went into the house several times, as there were three or four men there, and one or two women—the neighbours said they were all the people that came there—I saw a man there who I have since seen in Mr. Leather's shop in Princes-street, Drury-lane—Mr. Bennett, Mr. Fennell, Mr. Taylor and myself were together all the time, tracing and endeavouring to find the people—on the following afternoon we went to Quantock's shop—we all went in at the door.

Q. I believe it was a turner's shop? *A.* I am very much afraid it was not—I saw nothing satisfactory—I should say it was a receiver of stolen

goods house—I did not go in—there were a parcel of things there not worth 5*s.*, and a man there who is in Court now—I did not like the appearance of it at all—Quantock's name was over the door—when I said, "Your name is Collier," he said, "No, it is Quantock," and pointed to his name over the door—he said immediately that his name was Quantock, and when I said, "How dared you represent yourself as Collier?" he said it was for a particular purpose.

JAMES BENNETT. I am a grocer, living in Gerard-street, Soho. On the 19th of April a woman representing herself as Boone's mother, called at my shop—I afterwards saw Boone, and he spoke to me on the subject of paying for what the woman had ordered—she ordered some goods of me—the first order came to 10*l.* 5*s.* 7*d.*—she said they were to go to Paradise-row, Chelsea—I agreed to give her a week's credit—I told her the first parcel should be paid for on delivery, and after that I would give her a week's credit—she said she would, and the goods were sent—she came again and ordered goods to the amount of 4*l.* 9*s.* 7*d.*—I had not been paid for the first order then—the second parcel was sent—I afterwards called at the house in Paradise-row, and saw Mrs. Boone and two or three others who I do not know—she gave me a third order—I rather objected, on account of its being such an immense sum—it amounted to 20*l.*, being more than I agreed to give her credit for—she had not paid for either of the former parcels then—she said she had 50*l.* to receive at Somerset House, and was going to receive it on the Saturday—I did not send any more goods—the defendant Boone called on me after that and wished for another order—he asked for some gunpowder tea to make up an order he had from his friends—he said he was a cabinet-maker and had a great deal of goods to take home on the Saturday, and was about to receive money—I said in consequence of its being such an enormous amount and more than I had agreed to give them credit for, I objected to executing the order he gave me—he said he would call, on the honour of a man, and pay me on the Saturday for the goods Mrs. Boone had had—the credit expired on the 26th—on Monday the 28th I called at Boone's, and called several times in vain—I did not see him at all—I was at last promised to be paid on the Saturday, but was not—the second parcel of goods was due on the Saturday—I was never paid for either.

Q. On the Friday night before the Saturday, on which you were promised payment, do you remember Boone calling on you? *A.* Yes—he gave me another order, and promised to pay me on the Saturday, if I executed the order, but I did not execute it—on the Saturday night a basket of mine was sent back from Boone's, but nothing in it—on Monday morning I called at Boone's—I found the shop closed, and found, on inquiry, that he had absconded between five and six o'clock that morning—I did not see him again till he was at Guildhall—I went to No. 9, Fann-street, about the beginning of May, finding Mr. Davis was a creditor, and that he had been referred there—I did not see Quantock there—I saw Mrs. Weed, as she represented herself—I went with Mr. Fennell—I do not remember on what night it was—Mr. Fennell went into the parlour, and I went in with him the first time we called—I saw a woman there who represented herself as Mrs. Weed—I went again, and staid in the passage while Mr. Fennell went into the room—I heard him speaking to somebody in the room—I did not see any man, but I could hear a man's voice, and a woman's, but I could not hear what took place so as to state it—I

afterwards saw a man come out, and I followed him on to St. Andrew's-hill—he had a parcel in his hand—I then came back and reported it to the parties—I have seen that man since, and believe it to be Leather—I went into the house at St. Andrew's-hill, that night, and saw an elderly female and a young one—I said nothing to them, nor they to me—it was a shop fitted up in the general line—it was much such a concern as I had seen at Paradise-row—I did not recognise any of the parties just then—it was about six o'clock in the evening—I afterwards saw a man in the back room, sitting before the fire—Mr. Davis was then outside—we wished to get a glance of the man, hoping to recognise him as one of the party, but we could not see him—I do not know what became of him.

Cross-examined by Mr. Payne. *Q.* You were only examined before the Magistrate as to the amount of your debt? *A.* No—I did not sign any deposition.

Cross-examined by Mr. Chambers. *Q.* You went twice in the same evening to Fann-street? *A.* Yes—more than twice—it was the first time I went into the parlour, Mr. Fennell was with me—nobody else—I heard the talking the second time—I was then in the passage close to the door—I could not see into the room because the door was closed.

Mr. Prendergast. *Q.* Have you ever seen Quantock? *A.* I saw him on Brook-hill with Mr. Fennell—he told him he was the man who he had seen before under the name of Collier—Quantock immediately took a card out of his pocket, and said, "My name is not Collier, it is Quantock, my name is over the door," and that he had his reasons for passing by the name of Collier the night before.

Josiah Dimsdale. I am landlord of the house, No. 9, Fann-street. In March last I let that house to a person calling himself "Thomas Collier"—it was not either of the defendants at the bar—I saw a man named Leather one night when Thomas Collier gave a reference to him and to Quantock, for a character—Quantock was living at Brook-hill, and Leather in Northampton-street, Clerkenwell—he stated that Leather was his father-in-law—I am quite sure Thomas Collier was neither of the defendants—I called on Quantock on Brook-hill, and told him Collier had applied to me—he gave Collier a very excellent character as a hard-working, industrious man, in a small cabinet line, more particularly in the looking-glass frame line, and he showed me one of his frames of a dressing-glass, and said that was one of his making—he did not say where Collier worked, or who he worked for—Collier told me previously, himself, that he supplied various shops in London, and mentioned one gentleman whom I knew, but I did not go to him—the other reference in Northampton-street, Clerkenwell, was equally satisfactory—Leather stated him to be a hard-working man, and that he had married his daughter—I have never seen Leather since—I then let Collier the house—during the time he occupied it I went there—there was a young man at work in the back shop—I did not see either of these defendants there—I afterwards received information that the parties were gone—I got no rent—I did not find the house in so good a state as when I let it—some of the fixtures were gone, and sashes from the windows—I afterwards went to Quantock to know if he could tell me where to find Collier—he could not tell me where to find him exactly—he said his friends were living at Reading, and I ultimately received the key with a letter in a brown paper parcel, one night at my house.

Cross-examined by Mr. Chambers. *Q.* When was it you were applied

to to let this house to Collier? *A.* In March last—he mentioned a very respectable gentleman named Wainwright, in Conduit-street, for whom he worked—he is a large looking-glass manufacturer—he did not refer me to him for his character—I did not go to him to make any inquiries—Quantock told me that Collier had worked for him, and showed me a piece of his work—I dare say he said he had worked for him some time—he certainly said he had known him a long time—he said he usually did such work for him as frames for looking-glasses—he told me he knew his relations, who lived at Reading—this was after he had gone away—when I first went to him, I made no further inquiry except as to his working for him.

ANN SPENCER. I live on St. Andrew's-hill. In May last a person named Collier came to me about a house of mine on St. Andrew's-hill—I do not see the person here—it was not a house, only a shop and parlour—I had the letting of it—it is not my own—it belongs to my niece—he gave me a reference to No. 9, Fann-street, and my husband went to make inquiry—in consequence of what my husband told me I let him the shop and parlour at 12*s.* a week—he staid there three weeks, and paid for only one week—he left one morning before I was up—the neighbours called me up at six o'clock to say he was gone—I went, and found he was gone, and had taken the key—I cannot say whether I should know the man again or not, seeing so little of him—it was a month before I could get entrance.

Cross-examined by MR. PAYNE. *Q.* Were you examined before the Magistrate? *A.* No, nor before the Grand Jury.

——— SPENCER (*this witness was blind*). I am husband of last witness. I went to a house in Fann-street—I think it was No. 16—Mr. Collier, as he called himself, met me coming, and took me across the road, and into the parlour—I got a good account of the person—we let the house to Collier, and the person I was to see in Fann-street is named Collier—he came to our house, and I went next day—he did not give the proper name.

MRS. SPENCER *re-examined.* He gave no name at all—he said a person in Fann-street would say, the rent would be paid.

MR. SPENCER *re-examined.* I could see a little at the time I went—there was a good counter there, and goods in the house — there was another gentleman there, who said he was a cabinet-maker, and he must go, his time was up, and he went away—I did not see Quantock.

WILLIAM LOWTHER. I am in the employ of Smith and Co., stationers, in Newgate-street. A woman representing herself as Mrs. Collier, came and asked if we were in the habit of serving small shops, and wanted me to let her have goods to the amount of about 6*l.* on a month's credit, and security to be given by Mr. Leather, of Fann-street—I went to the shop on St. Andrew's-hill, which was the place where she represented herself as living—I saw the woman there who represented herself as Mrs. Collier, and another who represented herself as Collier's wife—I also saw an elderly man, but I should not know him again—I did not see either of the defendants at that house—I saw Boone at our shop—he represented himself as Collier—he told me his name was Collier—that was after the woman had called—he wanted me to give up an agreement which had been signed by Mr. Leather, of Fann-street—my shopmate had got a paper from Leather, and Collier came and said he wanted it, as we were not

satisfied with the reference, he expected we would give it up, and he would call next day, but he did not—I sent my shopmate Jameson to Leather, and in consequence of what Jameson told me, I got up the order—it amounted to 6*l.* odd, and the goods were sent to St. Andrew's-hill—I did not take any goods there myself—I went there before the goods were delivered, and saw the woman representing herself as Mrs. Collier, and another representing herself as Mr. Collier's wife—I met with Mr. Fennell, and in consequence of what he told me I went into the shop and said, "I must have my goods"—the old lady who represented herself as Mr. Collier's mother was there, and I got the goods—I hired a man who carried them away for me—the woman dared me to take them, but I did.

Cross-examined by Mr. Payne. *Q.* When was it you saw Boone at your shop? *A.* About the 6th of May, the day after the goods were delivered—he was not with me above three minutes—I had never seen him before—Jameson was in the shop at the time—I am quite sure the person said his name was Collier—I did not make any memorandum of the conversation—I am certain of him.

——Jameson. I am in the employ of Smith and Son, of Newgate-street. I was in the shop when a female made application for goods to be sent to St. Andrew's-hill—I was directed by my employers to go for a guarantee for the goods—I went to Fann-street, on the left hand side going down from Aldersgate-street—I there saw a person who answered to the name of Leather—he told me to draw out the form of a guarantee and he would sign it, and he did sign it—I told him that Collier had represented himself as being in his employment, and that he would become answerable for the money — he said Collier had not mentioned any thing of the sort to him, but he was an honest man, and a good man he believed, and he would do any thing of the sort for him—this is the guarantee (*producing it*)—I have witnessed it—a man afterwards came to our house to ask for the guarantee, but I cannot say that his name was Collier—I do not know who he was—I cannot swear to him, but I should think that was the party (*pointing to Boone.*)

Cross-examined by Mr. Payne. *Q.* Have you been examined before about this? *A.* No.

Charles Barnard. I am clerk to Slee and Co., vinegar makers at Horsleydown. In April last, a woman calling herself Mrs. Collier came to our house—I was not there when she came, but in consequence of her calling there, I afterwards went to a house on St. Andrew's-hill, with the name of Collier over the door—I did not see the name over the door, nor see any name at all—I saw Boone there—he went by the name of Thomas Collier to me—I am sure he used that name to me—he said he was a cabinet-maker, and was earning 30*s.* a week; that he worked in Barbican—Long-lane, Smithfield, was mentioned—I think I asked who he worked for there, and I think he gave me the name of Farmer—we sent him two quarter casks of vinegar, and two casks of mustard—it has never been paid for—I went to the shop about a month afterwards and found it shut up.

Cross-examined by Mr. Payne. *Q.* When was it you went to St. Andrew's-hill, the beginning or end of April? *A.* The goods were delivered on the 29th—I was about a quarter of an hour with the person who represented himself as Thomas Collier—I saw his wife, as she was represented, in the back room with a child in her arms—there was no one with

me—I had not seen the person before to my knowledge—it was a middling light place I should say—it was between two and three o'clock I think—he promised to pay for the goods in a month—he did not want any credit—I was not examined before the Alderman about this case.

ROBERT FENTON. I am shopman to Mr. Roberts, a tobacco-manufacturer in St. John's-street. On the 1st of May a woman came to my employers for goods to be sent to St. Andrew's-hill—I was not present, but in consequence of directions from my employers, I went to the reference, which was in Fann-street—I was to inquire for Mr. Taylor, of Fann-street, to inquire about Thomas Collier, of St. Andrew's-hill—(I afterwards saw the defendant Boone, who represented himself as Thomas Collier to me)—I saw a person representing himself as Taylor, of Fann-street—he said he was a bedstead-maker and upholsterer—it was not Quantock—I have not seen Leather since—Mr. Taylor's answers were quite satisfactory—I was then ordered by my employers to convey the goods to St. Andrew's-hill, on the 2nd of May, for Thomas Collier—when I got there I saw Boone, who assumed the name of Thomas Collier—I inquired if he was Mr. Collier—he said, "Yes, sir, my name is Collier"—I told him I had brought some goods from Mr. Roberts, of St. John's-street—he said, "Yes, my mother ordered them in the morning"—I asked could I assist in putting them away, or any thing—he said, "No, sir, I have just got leave from my employer, Mr. Taylor, to come down and put them away," and he was to return in a short time to his employment in Fann-street—we never got a farthing for the goods—when I went to St. Andrew's-hill afterwards, I found the shop closed, and he gone—I went to Fann-street immediately, and found they had gone from there at the same time—both houses were shut up—it was No. 9, Fann-street, on the left hand side from Aldersgate-street.

Cross-examined by MR. PAYNE. *Q.* When did you go to Fann-street? *A.* On Tuesday, the 2nd of May, I went to No. 9 on the ground-floor, and I saw a person representing himself as Mr. Taylor—I was with him about a quarter of an hour or twenty minutes, as far as I can judge—I do not see that person here now—I did not see either of the defendants there—I saw Boone in the shop at St. Andrew's-hill—I was there about a quarter of an hour—I merely delivered the goods, and saw that my invoice was correct according to the order given—there were about twenty articles—there was a female there with a child in her arms—I had the conversation with the prisoner Boone—I am quite sure he is the person—I had not seen him before.

JAMES BALDWIN. I am a paper-hanging-maker, and live in St. John's-street. A man calling himself Collier, who is not in custody, came to me, and ordered 12*l.* or 13*l.* worth of paper-hanging—I told him I had no objection if he could refer me to a respectable tradesman, and he referred me to a person named Quantock—I went to Quantock, at Brook-hill, and asked him if he knew a man named Collier, of Northampton-street, Clerkenwell—he said he did, he had known him from a child—I said I was referred to him by Collier, as I was about letting him have 12*l.* or 13*l.* worth of goods for six or seven days—he said, "Sir, you need not hesitate one moment, let him have 20*l.* worth; he is perfectly safe"—I then let Collier have the goods, and on passing the house in Northampton-street afterwards, I saw it was shut up—Collier had fetched the goods from my shop—I saw Quantock at Brook-hill, when I asked him whether he knew a man named Collier—

he said he did, perfectly well—I told him Collier lived in Northampton-street—I communicated to Quantock what Collier had stated to me—Quantock gave him a very high character—he did not give me a guarantee—I did not apply for any—in consequence of what Quantock stated I let Collier have the goods—I did not see Collier at my shop afterwards, but I saw Quantock and him pass my door intoxicated, but I should tell you when I found he had run away in the night, I went to Quantock's, and asked him whether he was aware of what had become of the man who he had given such a high character of—he said, "Yes, the rascal, I am looking for him, he has run away 5*l.* in my debt"—and it was only a few days after that that I saw Quantock go by my shop with him, arm-in-arm, quite intoxicated—with the man he said he was looking for, who called himself Collier—I did not see Boone at all, till he was at Guildhall.

Q. Do you remember Collier making his appearance at your shop with another person, and stating that the work must be finished? *A.* That was a second lot he wanted—instead of bringing the money on Saturday, as he promised, he brought a gentleman with him, they had a few words in the shop together, and that gentleman said he would not pay a halfpenny till the shop was finished.

Cross-examined by Mr. Payne. *Q.* What sort of a man is Collier? *A.* Very much like the defendant Boone, but it was not him—Collier applied to me early in April—I went once to the house, in Northampton-street, where he represented himself as living, to carry the patterns to be chosen, and I saw him there—I did not find out that he had moved from there to Fann-street—I did not take the trouble to trace him—the fact is, I have seen him once or twice since—I was not referred to anybody besides Quantock—I found Quantock's shop without any difficulty—Collier gave me a card of Quantock's—it appeared something like a broker's shop—I went into the shop—I did not make inquiry in the neighbourhood with regard to Quantock, before I took his word—when I found Collier was not in the way, and I could not find him, I went to Quantock—I could not see him the first day as he was not at home, but the next day I did—it was a few days after that I saw him and Collier arm-in-arm, both drunk—they passed my door in St. John-street—I told Quantock, when I went to him, that I lived in St. John-street—I went to Guildhall, but was not examined—Quantock was in the body of the Court, but was given into custody while I was there.

George Lock. I am a carpenter, and live in Bream's-buildings, Chancery-lane. A person who goes by the name of Leather applied to me to do some work for him, and brought the defendant Quantock with him—he said he could not pay ready money for it, but would pay it in a bill at three months—I said I never did business for strangers without I knew something of them, and could not do it unless somebody joined him in the amount—after some time he referred me to Clark of Kingsland-road, who signed an agreement to pay me the amount—about a fortnight after, I found that Clark had gone away from the place—I would not then proceed with the work, and Quantock said he would enter into a bill for £20, to be guarantee for Leather, which bill I have got—it has come to maturity, and a party came a few days before and wished to put it off, as he had a great many debts out—it has never been paid—I have not been [illegible] thing—Quantock came to my house one morning, and said he could not pay the bill for a few days, but that Leather had [illegible]m, and it was to be paid on the 1st of January—he said he

did not believe much what Leather said, but he went to an old sister of his, who was just on the verge of the grave, and he did not think she would tell a lie, and that she said the same—I renewed the bill on that representation—Quantock is still the guarantee—he gave his address on the bills omewhere about Brook-hill.

Cross-examined by MR. CHAMBERS. *Q.* Is this the old bill, and the renewed one? *A.* Yes—I do not know how I came to keep both—the renewed bill is not due yet—John Fletcher, whose name is on it, is a party I paid it to, but I have paid him and got it in my possession—I did not go to Brook-hill to see Quantock—I sent both my clerk and foreman at the time of the renewal of the bill—it is due on the 6th of January—I had begun the work when the first bill was given, but finding Clark had left the place, I would not proceed with the work without further security—I was to be paid within three months—it was fitting up a grocer's shop he had taken in Princes-street, Drury-lane—Leather is not there now—I know nothing of a guarantee being given to Quantock to return the first bill—no arrangement was made about returning the first bill, that I am aware of—the arrangement was with me, but I got my clerk to draw it—I understood Clark kept a grocer's shop in the general line, and supplied small shops—I understand he has taken a great number of people in.

JAMES TIMS. I live in Oxford-place, Stepney. I know the prisoner Boone—he came to me to take a house of mine, about three weeks before Midsummer-day, and referred me some where in the neighbourhood of St. John-street, or Goswell-street-road, to Wynyatt-street—I think my wife went after the reference—I do not know the name of the party he referred to—the house was occupied about six weeks.

BOONE—GUILTY.—Aged 20.
QUANTOCK—GUILTY.—Aged 40. } Confined Two Years.

NEW COURT.—*Tuesday, January 2nd,* 1838.

Fifth Jury, before Mr. Sergeant Arabin.

320. WILLIAM JONES was indicted for stealing, on the 22nd of December, 1 coat, value 10*s.*, the goods of Thomas Searle; to which he pleaded

GUILTY. Aged 26.—Transported for Seven Years.

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321. JOHN EASTON was indicted for stealing, on the 18th of December, 1 half-crown, the money of David Watson the younger.

DAVID WATSON, jun. I am a baker, and live with my father, in Compton-street, Brunswick-square. The prisoner was our journeyman, and had been so about five weeks—he slept in a room opposite mine—I have to get up in the night to attend to business—I had missed money from my pockets from time to time, which induced me to mark a half-crown on Sunday evening the 17th of December—I put it into my waistcoat pocket—my bed-room door is left open—at eleven o'clock, on the night of the 17th, I got up to go to work, and the prisoner got up with me—the half-crown was then in my waistcoat pocket, which I left in my bed-room, and my trowsers were covered over it—the prisoner could go up to my room—I missed the half-crown a little before ten o'clock on Monday morning the

18th—it was then gone, and I charged the prisoner with the robbery—he denied it—my father said, "Let us search him," which we did partly, but he resisted, and kicked very much—we desisted, and got a policeman—I saw him search him in the bakehouse; but before the policeman came I saw the prisoner take something from his boot and throw under the trough—my brother went for a policeman—the half-crown was not found till I came back from the station-house—I saw my father pick it up under the dough-trough—that was where I had seen him throw something—I saw him unlace his boots—we took off one—he unlaced the other himself—it was that one we supposed the half-crown came from—when we were searching the prisoner he said he knew what he had taken, and he would pay me back if I would let him alone—this is not my half-crown—(*looking at it.*)

Francis Fayer (*police-sergeant E* 15.) This is the half-crown I received from Mr. Watson the younger.

David Watson, Sen. I have heard my son's testimony, it is correct—I picked up the half-crown—I did not mark it—I took it up and asked my son if it was his—he said it was—I looked at the mark when I picked it up—this one seems to me to be marked in the same manner.

NOT GUILTY.

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322. HENRY HAWKINS was indicted for stealing, on the 14th of November, 2 half-crowns, 8 shillings, and 2 sixpences, the monies of Samuel Lindley his master.

Samuel Lindley. I live in Oxford-street, and sell naptha and spirit lamps. The prisoner was my servant—on the 14th of November I gave him two half-crowns, eight shillings, and two sixpences—he was to fetch some spirit back from a person in Gracechurch-street—Mr. Jupe—he never returned—he took a can from me, and never returned—I have not received the money back.

William Jupe. I am a naptha manufacturer. I never received this money—it was not a debt due to me—it was money to have been paid for naptha he was to have had.

Henry Gardner (*City police-constable No.* 87.) I took the prisoner on the 20th of December.

William Laurie. The prisoner brought a can to my father's shop in Gracechurch-street, and asked me to get it filled by Mr. Jupe, and I saw him no more.

GUILTY. Aged 34.—Confined Six Months.

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323. DANIEL DRISCOLL was indicted for stealing, on the 25th of November, 1 basket called a flat, value 6*d.*; and 60lbs. weight of butter, value 3*l.* 2*s.*; the goods of Major Pratt.

Evan Evans. I am in the employ of Mr. Jennings and others, of Newgate-street, salesmen. About nine o'clock on the morning of the 25th of November, I saw the prisoner and another man walk into the shop about 20 or 30 yards—they went out and returned with a knot, and the prisoner helped the flat of butter on the other man's head—I thought they came for it, for Mr. Pratt's cart that was at the door, but I found they not—I then went after them, but could not find them—I saw

the prisoner a fortnight afterwards and gave him into custody—I can swear he is the same person—the butter belonged to Major Pratt.

Prisoner. *Q.* Did I stand outside the door talking with any man? *A.* Yes, for some minutes, and then you walked up the shop together and returned, and took the knot and took up the butter.

JOEL CHENEY. I saw the prisoner and another person outside Mr. Jennings's door, a little before nine o'clock that morning—they were talking together, and in ten minutes afterwards I heard of the robbery—I am sure the prisoner was one of the two that were there.

MAJOR PRATT. This was my property. I was standing not far from the place—I lost it altogether.

Prisoner's Defence. I came at four o'clock in the morning to work—I met a man and we went to have some breakfast, and two men came—one of them gave me a penny to have half a pint of beer, and said he would want me—I went out and met a man who gave me a job—as I returned back I met the man that they suspect of taking the butter—he asked me to give him a lift up, which I did, with a basket of meat—I saw no butter—I returned the next day to the market, and worked there every day till I was taken.

GUILTY. Aged 42.—Confined Three Months.

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324. WILLIAM SAWYER and JOHN CHAMBERS were indicted for stealing, on the 29th of December, 1 paper-case, value 15*s.*; 1 ruler, value 3*d.*; 1 pencil-case, value 2*s.*; 1 pen-case, value 6*d.*; 1 ink-stand, value 1*s.*; 1 bag, value 6*d.*; and 1 quire of paper, value 1*s.*; the goods of Francis Broughton.

THOMAS POCOCK (*police-constable F* 38.) On the 29th of December, at a quarter before eight o'clock in the morning, I saw the prisoners in company together—they came through Temple-bar, from the City—I followed them to Scotland-yard—there I took Sawyer, and the other ran away, but the constable stopped him—he was not carrying any thing—I found on Sawyer this writing-case and contents—when I first saw them they were about a mile from the prosecutor's—I found this bag in Sawyer's pocket—it is the cover of the case.

FRANCIS BROUGHTON. I live in Falcon-square. I believe this case to be what I presented to my son, about two years back—it was in my house—I had not seen it for eight or nine months.

FRANCIS BROUGHTON, jun. This is mine—it was locked—I opened it at the station-house, and the contents are mine—it was taken from the bottom of our house—I saw it at seven o'clock—half an hour before it was taken—my father is a solicitor, and the next door is the office—I went in there, and I suppose left the door ajar for about three minutes.

Sawyer's Defence. On the evening in question, between Chanery-lane and Temple-bar, a gentleman asked me to carry this as far as the Treasury, and he would recompense me—I went as far as Scotland-yard—the policeman asked me what I had got, I said I did not know—he took me to the station-house, I turned to see for the gentleman who gave it me, but he was gone—this other person I know, but he was not in my company this evening at all—any man in the Court is likely to be in the

same dilemma as myself—I wished to earn an honest shilling—I thought it was an easy way to get one—I was not aware of what I was carrying.

SAWYER* GUILTY.—Aged 36.
CHAMBERS* GUILTY.—Aged 21. } Transported for Seven Years.

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325. JOHN MITCHELL was indicted for feloniously forging on the 29th of November, an order for the payment of 12*l.*, with intent to defraud George Widdowson and another; against the Statute, &c.—2nd COUNT, for uttering and putting off the same with a like intent; to which he pleaded

GUILTY.

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326. JOHN MITCHELL was *again* indicted for feloniously forging, on the 8th of September, an order for the payment of 10*l.*, with intent to defraud William Jasper Capper; against the Statute, &c.—2nd COUNT for uttering and putting off a like order with the like intent; to which he pleaded

GUILTY.

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327. JOHN MITCHELL was *again* indicted for feloniously forging an order for the payment of £10, with intent to defraud Joseph Walton and others; against the Statute, &c.—2nd COUNT, for uttering the same with a like intent; to which he pleaded

GUILTY.

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328. JOHN MITCHELL was *again* indicted for feloniously forging an order for the payment of £15, with intent to defraud James Bigg and others; against the Statute, &c.—2nd COUNT, for uttering the same with a like intent; to which he pleaded

GUILTY. Aged 22.—Transported for Life.

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329. JOHN WILLIAM BEESON was indicted for embezzling, on the 10th of December, the sum of 10*l.*; on the 28th of January, 5*l.*; and on the 4th of March 11*l.*; which he had received on account of James Jones, his master; to which he pleaded

GUILTY. Aged 21.

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330. JOHN WILLIAM BEESON was *again* indicted for embezzling the sum of 6*l.*, on the 6th of March; to which he pleaded

GUILTY. Aged 21.—Transported for Seven Years.

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331. JOHN CRAWLEY was indicted for stealing, on the 26th of December, 59lbs. weight of butter, value 2*l.* 4*s.*; and 1 cask, value 6*d.*; the goods of Joseph Blyth Stevens.

WILLIAM GATLIFFE. I am in the employ of Joseph Blyth Stevens and another, cheesemongers in Arthur-street, West. I was in the warehouse on the evening of the 26th of December, and saw the prisoner come and take up the firkin of butter, and walk out with it—I ran after him, and caught him with it in his arms, three or four yards from the door—I called, and my master came to my assistance, sent for the officer, and he was taken.

JOSEPH BLYTH STEVENS. I was called to assist my man and secured the prisoner—it is my butter.

JOSIAH EVANS. I took the prisoner—he went for a few paces quietly, and then he made a start, and struck me in the left eye—with great assistance we got him to the watch-house—we were obliged to hold him down, and handcuff him.

Prisoner. He struck me first. *Witness.* No, I did not.

Prisoner. I was passing, and a man came out with the butter—a man came out and took me.

GUILTY. Aged 21.—Transported for Seven Years.

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332. MARY GRANGER was indicted for stealing, on the 21st of December, 1 handkerchief, value 3*s.*, the goods of a man unknown, from his person.

THOMAS EAVES (*City police-constable No.* 100.) At half-past fiveo'clock on the evening of the 21st of December I was in Fleet-street — I watched the prisoner for about a quarter of an hour, lurking about, and saw her fix on two gentlemen about the centre of the street—she followed them as far as Bridge-street—there they made a stop and conversed about three minutes, she looking in at a window—one of them walked up Fleet-street—the prisoner followed him, and when he got half-way up the street, she lifted up his pocket, and took the handkerchief from him—he walked on—I went and took her—she was pushing it behind her, and dropped it —I lost sight of the gentleman, and do not know his name.

Prisoner. I did not do it. *Witness.* Yes, you did.

GUILTY. Aged 17.—Transported for Ten Years.

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333. WILLIAM LEE was indicted for stealing, on the 18th of December, 1¼lb. weight of tea, value 6*s.*, the goods of the East India Dock Company, his masters.

MR. CLARKSON *conducted the Prosecution.*

CHRISTOPHER WHITWORTH. I am foreman of the East India Dock Company's warehouse, in Crutched Friars. The prisoner was employed there as a labourer—there was tea in that warehouse—in consequence of information from Irish, I desired him last Monday to watch the prisoner—I called the prisoner about half-past one o'clock, took him into a private room, and told him I suspected he had some tea—he denied it—I said I was told he had, and I would have him, as an honest man, clear himself if he could—he then said he had some—I then called for the revenue officer, and the tea was found between his stockings and his legs, about 1¼lb. of it.

JOHN IRISH. I am under-foreman of this warehouse. I watched the prisoner—he appeared very bulky about the legs—I told that to Mr. Whitworth—he was then taken and searched—I weighed this tea.

Prisoner. I was only occasionally employed, and was in distress—I hope you will have mercy on me this time.

GUILTY. Aged 35.—*Recommended to mercy by the Jury.*

Confined Six Months.

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334. JOHN JONES was indicted for stealing, on the 12th of December, 7 printed books, value 1*l.* 18*s.*, the goods of Frederick Westley.—2nd COUNT, stating them to be the goods of William West.

FRANCIS TAYLOR. Mr. William West is my master—he is a carrier—I accompany him with his cart. On Tuesday, the 12th of December, about half-past six o'clock in the evening, we were in Eastcheap—my master was

looking at the direction of a parcel going to Rood-lane—we were out of the cart, and looking in the pocket-book for the parcel by the light of a lamp—a man was passing by and said, "Does this man in your cart belong to you?"—we said, "No"—I looked, and saw the prisoner with one foot in the cart and one on the foot-board—he had this parcel of books under his right arm—the parcel was tied on a basket—I got in on the near-side—he jumped down on the off-side, dropped the parcel on the foot-board, and ran away—I ran after him, and caught him in Botolph-lane—he offered me a shilling to let him go—he ran about two hundred yards from the cart—he was never out of my sight—this is the parcel.

Cross-examined by Mr. Phillips. *Q.* Were you examined before the Magistrate? *A.* Yes—it was a fineish night—I mean to swear that—I do not say it was very bright, it was brightish—there was no thick haze—I have always said he dropped it on the foot-board—I never said he threw it into the cart—I told the Magistrate about the shilling—I remember signing my name—the gentleman read my deposition over to me—I cannot swear there was any thing read over about the shilling—this was Mrs. Knight's parcel, of Hammersmith, and it was tied on a basket—this was in East-cheap—there was a corner to turn in Botolph-lane—he turned, but did not get out of my sight—the man is not here who asked if the man was one of ours.

Samuel Timmings. I am clerk to Mr. Frederick Westley. These books Mr. Westley had to bind—I delivered the books to the carrier, to take to Mrs. Knight at Hammersmith.

William West. I am a carrier. I was looking over my pocket-book for a little order—I heard a strange voice say, "Does that man belong to you in the cart?"—I turned round and looked at the man, and said "No"—the man was in the act of getting off the off-side of the cart with the parcel under his arm—that parcel had been on the near-side, in the back part of the cart—it was dropped on the foot-board—the person ran away, and turned down Botolph-lane—Taylor ran after him, and brought him back—the prisoner is the person—he had not got the parcel then—I can say he is the person that was in the cart.

Cross-examined. *Q.* He was the person that Taylor brought back? *A.* Yes—he was out of my sight, but he came back and owned he had had the parcel—I was examined before the Lord Mayor, and my evidence taken down, and read over to me, but not signed by me—I am quite sure I was examined—I was sworn—that I am quite sure of.

Court. *Q.* Were you bound over to appear here? *A.* Yes.

William Childs. I am the officer. I took the prisoner from the boy as they were struggling together—West was examined—I was present.

NOT GUILTY.

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335. MORRIS BARRETT was indicted for stealing, on the 9th of December, 126lbs. weight of lead, value 10*s.*, the goods of Richard Barrow, and fixed to a certain building; against the Statute, &c.

Thomas Emery. I am a policeman. Between six and seven o'clock, on the night of the 9th of December, I saw the prisoner coming down Compton-street, with something on his head—he saw me and quickened his pace—he went down Northumberland-place, where there is a private door, leading to a marine-store shop—I watched—he went, pushed the door, and went in—I went into the shop—there was nothing there—I went into

GILBERT WARREN. I live at Highgate, and keep fowls. On the night of the 12th of December I had some—I missed one next morning—I afterwards saw one in possession of Atkins, and it was mine—I keep them at the back of my house, in a roost which is not locked, except by a hasp to the fowl-house—a man must get over a rail fence to get to it—I saw it safe on the Tuesday morning.

Prisoner's Defence. I went out on Hampstead-heath one morning with a dog, and the dog brought the fowl out of a bush, and I took it from the dog—that was how I got it.

GUILTY.* Aged 17.—Transported Seven Years.

Before Mr. Justice Coltman.

338. DAVID ANDERSON was indicted for unlawfully cutting and wounding Mary Anderson, in and upon the face, and left eye, with intent in so doing, to maim, disfigure, and disable her.—2nd. COUNT, stating his intent to be, to do her some grievous bodily harm.

MARY ANDERSON. The prisoner is my husband—I live at No. 2, Orchard-street, Kingsland-road. On the 8th of December, I had been with my husband to a public-house in the early part of the morning—I did not leave him there—we came out together, as near as I can tell, about four o'clock in the afternoon—he was then very nearly intoxicated—I then came home—we parted at the top of our street—about six o'clock he came home—I was in the room when he came in—I heard him coming in, and got under the dresser out of his way—we had had a quarrel in the public-house about the money he had earned for his day's work—no blows had passed between us at all in the public-house—it was merely a quarrel by word of mouth—when he came in he pulled off his coat, and I thought he was going to bed, as he used to do, when he is in liquor he generally goes to bed, but he did not go to bed then—when he pulled his coat off he gave me a kick as I was under the dresser—I did not hear him say any thing—I had not heard him speak a word—I had said nothing to him in the house—he kicked me in the eye—he only gave me one kick, as far as I know, but my senses were quite gone, and what more passed I am not able to say—when I came to myself I was outside the door, and all my neighbours round me—I dare say we had been a couple of hours together in the public-house—we were not quarrelling all the time—we had a great many words about the money—I wanted him to give me the money, and he wanted to keep it—we had no quarrel in the street after leaving the public-house.

Prisoner. We were drinking at the Queen Victoria public-house, and very drunk, indeed, both of us—we went to the Elephant last. *Witness.* I do not remember going to the Victoria—I was at the Elephant—that is the house I have spoken of—I cannot tell whether I had been to any other public-house with him—I had not, to my knowledge—I was not sober.

ANN RICE. I live in Orchard-street, King-street. On the 8th of December I heard a disturbance, and heard Anderson's children screaming murder at the door—I heard Mrs. Anderson say, "For God's sake do not hit me any more, you will kick my eyes out"—that was at the time the children were screaming—I ran over, went into the house, and saw her lying before the fire—I thought she was dead—I heard no sounds besides Mrs. Anderson

speaking—there was no sound of kicking—I did not hear the sound of blows or kicking till I went in—when I went in I found Mrs. Anderson lying before the fire, and the prisoner sitting on the foot of the bed—Mrs. Anderson seemed insensible—I saw the prisoner kick her once while he was sitting on the bed—he did not get up to do it—he seemed to kick her in the face at that time—I said to him, "For God's sake, Anderson, what are you about, you have killed her"—he said, "It makes no odds to you, go out, and trouble your head about your own business"—that was after he had kicked her—he made his way up towards me, and I ran out directly—I do not know any more that passed—the prisoner had been drinking, but was not so far gone but what he knew what he was about.

Prisoner. She knows we were both drunk. *Witness*. They had both been drinking in the afternoon—I had not seen Mrs. Anderson before it happened—I live right opposite them—I had not heard any quarelling in the house between them before I heard the children cry murder—if there had been, I should be very likely to have heard it; but I was not at home till five o'clock.

Sarah Stanborough. I live in Orchard-street, Kingsland. On the 8th of December, I heard the children cry murder—I went to Anderson's house, and saw Mrs. Anderson lying on the floor before the fire—the prisoner was sitting on the foot of the bed—I said to him, "Oh, Anderson you have killed your wife"—he said, "That makes no odds to you, you go and mind your own business"—he said, "I will kill the b——"—Mrs. Anderson was none the worse for liquor—I had seen her about four o'clock in the afternoon—she was tipsy then, but she was not at six o'clock, for she had been in bed and asleep I understand—her daughter says so—she did not seem the worse for liquor, when she recovered from the blows—when she came out at the street door she seemed recovered—that was not many minutes after I went in—as soon as she heard the policeman was there she came to the door—I staid there after the prisoner told me to mind my own business—at the door—the prisoner was drunk, but not so much but he knew what he was about.

Prisoner. *Q*. Did not you take my wife out at eleven o'clock in the morning and make her drunk, and send her home drunk? *A*. No.

Court. *Q*. Had you seen her before four o'clock? *A*. I saw her at twelve o'clock—she came to pay me 2*s*.—she was sober then—she did not get any drink at my house—I never went outside the door with her—she left me in my own room.

James Parr. I am a policeman. I was passing along my beat and heard the cry of murder in Orchard-street, I ran to the spot—the neighbours called out "Here comes the police"—I went into the house and saw Mrs. Anderson in the act of rising from the ground—she said she could not see—she groped her way towards the door—some of the neighbours brought a candle and held it in her face—I could see she was bleeding very much from the eye—I took her to the station-house, and left my brother officer in charge of Anderson—when I came to the door the prisoner said to some of the neighbours that it would be better to mind their own business—he said nothing to me—the prosecutrix was taken from the station-house to Dr. Aitkin.

David Aitkin. I am a surgeon. I remember Mrs. Anderson coming to me—I found a swelling on her left eye—it was such as might arise from a blow or kick—the eye is destroyed, and it had produced loss of sight—

there was a small superficial mark under the right eye, which might be produced by a scratch, or it might be produced by a blow—it was bleeding slightly—I went to see her next morning, and found some marks on her person arising from blows—there were two or three marks on the right breast, and another on the side of the abdomen lower down—I suppose they were all done at the same time as the wound in the eye, from the appearance of them—they all had the appearance of being fresh—the bruises might be occasioned by a fall.

ANN RICE *re-examined.* The prisoner had lace-up shoes on.

Prisoner's Defence. I must throw myself on the mercy of the Court for the sake of my small family who are looking to me—it was not done intentionally—the witness knows it was through liquor.

MARY ANDERSON *re-examined.* My husband, when sober, behaved very kind to me—he is not much given to liquor.

GUILTY of a common assault. Aged 46.—Confined Three Years.

Before Mr. Baron Alderson.

339. GEORGE SMITH was indicted for stealing, on the 20th of December, 23lbs. weight of copper, value 17*s.* 3*d.*; and 2lbs. weight of iron, value 2*d.*; the goods of the London Dock Company.

MR. BALLANTINE *conducted the Prosecution.*

CHARLES HENRY FALCONER. I am a police surveyor. On the 20th of December last, about five o'clock in the afternoon, I saw the prisoner in High-street, Wapping, close to the London Dock—he had something concealed under a great coat, which he had under his arm—I stopped him in Church-street, and he then dropped a bag from under his great coat, which I found contained copper—I attempted to take him into custody—he made some resistance, but I succeeded in taking him, and asked him where he got the bag, but he would not answer till I got him to the office—I then cautioned him that what he said would be given in evidence, and asked him where he brought it from—he said, "Out of the London Dock"—I asked whether he worked there, and he said, "Yes."

Cross-examined by MR. DOANE. *Q.* Were you on the same side of the way when you met him? *A.* Yes—I was coming in a contrary direction—I saw at once that he had something bulky under his great coat—he did not tell me he got it outside the Dock—he said so in his defence at the police office—I am quite prepared to say he told me he got it out of the Dock.

JAMES DARLOW. I live in Essex-street, Globe-fields, Mile-end. I am foreman of the millwrights in the London Dock—I saw the copper at the Thames police-office—I believe I never saw it before—I have copper similar to that under my care in the Dock—I know the prisoner—he has worked under me more than seven years in his department, and did so on the 20th of December—he left ten or fifteen minutes before five o'clock that afternoon—the place where he was taken up was in his way home.

GEORGE GLADSTONE. I am a carpenter in the employ of the London Dock Company, and Work under Mr. Darlow—I know this copper—it was made to cover the rollers of the swivel bridge—I assisted in making it for the Dock Company, and know it to be the same—it was put in store afterwards.

Cross-examined. *Q.* Is it what is called a guard? *A.* It is to prevent

the dust getting under the rollers—this kind of article has long been out of use in the Docks—perhaps four or five years—there were not many made, only for one bridge—I made about thirty or thirty-four—there is no private mark on this more than on others—I swear to it from comparing it with the others—there are watchmen placed at the Dock gate to see the men go in and out, and to see that no property is taken away.

COURT. *Q.* Is any thing ever stolen out of the London Dock? *A.* I dare say there is—this belongs to the Company.

JAMES DARLOW *re-examined.* I went to the stores and found six or seven pieces of this sort of copper there of a similar description—they were in the large workshop—the prisoner was working in that shop that day—they were stowed in the upper floor, but he had the means of getting to it—he had regularly worked there every day.

GUILTY. Aged 56.—Confined One Year.

Before Mr. Justice Williams.

340. MARY BURKE was indicted for stealing, on the 13th of December, 1 shilling, the money of William Reed, her master.

WILLIAM REED. I am a linen-draper, and live in High-street, Hampstead. The prisoner was in my service as cook for eight months—it was part of her duty to go out to get porter for the family in the evening—it was constantly her business to do it—she was to get it from Robert Ware—she was taken up on the 18th of December in consequence of a bill being sent into me, the day previous, by Mr. Ware—the amount was 5*l.* 3*s.* 8*d.*—I told the prisoner the circumstance, and discharged her—I was in the habit of giving her money for the beer, but not every night—on the 12th of December I gave her a shilling—I am certain of that—it was on a Wednesday, I think—I made a note of the day of the month, previous to my coming here, but I cannot be certain of the day of the week—I made the memorandum from my recollection—there is no particular circumstance which enables me to recollect giving her a shilling on the 12th of December, but I have a general recollection of it—when I discharged her I told her she had been committing various felonies in my house, and was discharged—she said it was all true, she had appropriated it to her own use—I asked how she spent it—she said, "In gin and pastry"—this was the day after the bill was sent in—I discharged her, and another case induced me to have her apprehended—it was only occasionally that I gave her money—Mrs. Reed gave it to her if I was out—there are more instances in which I did not give her the money, than which I did.

ROBERT WARE. I am a publican, and live at Hampstead. I supplied Mr. Reed with porter—I know the prisoner as his servant—I used to send the porter at dinner time, and she fetched it in the evening—on the 12th of December she came for porter—I can be certain of that, because I was not out of the way all the evening, and saw her about half-past nine o'clock—she came for a pint and a half of beer.

Q. What enables you to say it was the 12th of December? *A.* Because I recollected the circumstance when the bill was sent in on the Monday—the 12th was on a Tuesday—my attention was called to it on the Thursday after—I am quite certain she paid nothing on the 12th of December—my wife assists in my business—nobody else serves behind the bar, or ever takes money—my wife is not here—all I can say is, the prisoner paid me the money—she admitted she had not paid it, both to me and her master

when I went to Mr. Reed's—when she was about to be discharged, Mr. Reed taxed her with appropriating the money to her own use—she said it was all true, she had spent it, and had not paid me any thing—I had sent the bill in weekly, and asked her when I should be paid—she constantly told me she expected Mr. Reed would pay me daily—I asked her if she had given the bill to Mr. Reed—she said she had.

Prisoner. On the night of the 12th, Mrs. Ware served me with the beer.

EDWARD DURGAN. I am a policeman. I was called on to take up the prisoner on Monday, the 18th, about two o'clock—I asked her was she aware of the charge against her—she said "Yes," and said she was willing to give herself into custody—I took her to the station-house—I asked her no more questions—she seemed greatly penitent, and would make me no more answers.

(*The prisoner put in a paper, confessing her guilt, and stating that at the time of entering the Prosecutor's service, she was in the greatest distress for clothing, which induced her to use the money given her to pay the tradesmen to obtain clothing, intending to repay it out of her wages.*)

GUILTY. Aged 22.—*Strongly recommended to mercy by the Jury.*—Confined One Year.

Before Mr. Justice Coltman.

341. FRANCIS NOWLAN was indicted for stealing, on the 18th of December, 2 blankets, value 5*s.*; and 1 rug, value 2*s.*; the goods of Harris Lazarus.

HARRIS LAZARUS. I am a clothes salesman and general outfitter, and live at No. 112, Upper East Smithfield, near the London Dock. On the 18th of December I missed a pair of blankets and a rug, between seven and eight o'clock in the morning, from inside my shop—I had seen them a very few minutes before, placed on a seaman's bed by the door, inside the shop—they were near enough to be reached without coming into the shop—I saw them again a few days afterwards, at Lambeth-street police-office—it was on a Friday—I lost them on a Monday.

JOHN BURROUGH. I am a policeman. On Monday morning, the 18th of December, I saw the prisoner offering these articles for sale, two blankets and a rug—I heard him offer them for sale to a man in Rosemary-lane, Whitechapel, for 3*s.* 6*d.*—the man refused to buy them, and I took the prisoner in charge—I asked him where he got them—he said his father gave them to him—I produce the articles.

Prisoner. Q. Were you present when I offered them for sale? *A.* Yes, three minutes before I took you into custody you were in a shop, and I was at the door.

Prisoner. I was passing by when a man said to him, "That man offered these things for sale," when he came and took me—he never heard me offer them for sale. *Witness.* I am certain I did—he was about was at three-quarters of a mile from Lazarus's shop.

HARRIS LAZARUS *re-examined.* I have seen these articles, and know them to be mine—I have many more of the same description in my shop, and have missed these articles—I have no particular mark of my own on them—they are six-quarter blankets, which is the size usual for seamen's beds—there is nothing particular in the quality—probably every salesman

has blankets corresponding with them—the rug is a bed one—it has no particular mark on it—it is the same size and quality as the one I lost that morning, it is five-quarters—I never saw the prisoner before, to my knowledge—the articles are worth 7*s*. or 8*s*. together.

Prisoner. I bought the things from my father before he went to sea, on the Saturday morning—he gave them to me as he was going to sea, and I can bring witnesses to prove it. *Witness*. They are quite new, and have never been used—the blankets are not separated—they have been woven together.

GUILTY.* Aged 17.—Transported for Seven Years.

Before Mr. Baron Alderson.

342. CHARLES STEEL, GEORGE CLARKE, PETER WILLIAMSON, JOSHUA HUTCHINSON, and RICHARD KING, were indicted for robbing James Stint, on the 12th of December, at Hillingdon, and stealing from him 5*s*., his monies; and at the time of such robbery, striking and beating him.

JAMES STINT. I am a labourer, and live at Ruislip, in Middlesex. On the 12th of December I was going across Hillingdon-heath, to my master's, with three beasts, about eleven o'clock in the morning—as I went across the heath I saw five men all of a bunch—I did not know any of them before—I had a bundle under my arm containing clothes, which I was going to take to my sister—they belonged to her—I had a canvas purse in my pocket with 7*s*. in it—the five men were just by a turning which goes to Pollhill—I was following my beasts on the road—they were near the road—two of them, the prisoners Steel and Williamson, came across the road and met me—Steel put his hand on my shoulder, and said, "Farmer, come and see if you can understand this game, for I cannot"—the answer I made him was, "I dare say you understand the game better than I do, I have other things to attend to"—I kept on following my beasts along the road, and the two men kept walking along with me—Williamson then said, "Farmer, go and bet him a sovereign, and I will be your halves"—three of them then surrounded me—George Clarke was the other one—they tried to *claw* the bundle from under my arm, but did not succeed—I hung to my bundle—I had the 7*s*. in a purse in my breeches pocket—I had got my hand in my breeches pocket, and had got my purse in my hand—Steel struck me across my arm with an umbrella, knocked my hand out of my pocket, and five shillings out of the seven shillings flew out of my purse on the ground—the purse fell on the ground too, with the other two shillings in it—they *clawed* it up, and ran away with it—Williamson and Steel *clawed* at it—I cannot say which got it—all five ran away.

Q. What were the other two doing at the time the three were about you? *A*. One of them was sitting down by the side of the ditch, and the other walking backwards and forwards by the side of the foot-path—they did nothing to me—they never came nearer to me than the footpath—they all ran away together—I hallooed out to the roadsmen, and beckoned to them—(they are people who mend the road)—Bennett, one of the roadsmen, ran towards me—he might be about 300 yards off—I cannot say exactly—when I hallooed out, Steel *clawed* a stick out of King's hand, and said he would beat my b— brains out—King was one of those who had done nothing—he did nothing with the stick—he did not come up to me—Ber-

nett was coming towards me at that time—three or four more people came up, but there is only Bennett here—the prisoners ran away—I saw Steel, King, Hutchinson, and Williamson, again the same day at Uxbridge, and saw Clarke on the Saturday after—Clarke was the last of the three that came up to me—I can swear to Steel, and to all of them as being the five men—they were all together, and ran away together, and they are the three that insulted me.

Q. How long were they with you altogether from the time Steel came up to you, till all five ran away? *A.* About ten minutes or a quarter of an hour—I cannot say exactly—it was eleven o'clock in the morning—I had had nothing to drink at all.

Cross-examined by MR. PHILLIPS. *Q.* Is this a public turnpike-road? *A.* Yes, where any body might come—I had no concern with them at all—the one who was sitting down by the ditch had cups and balls—that was Hutchinson—I had seen the game before, time after time, but never played at it in my life—I did not stop to look at them at all—I had drank nothing that morning—I had had my breakfast, but had drunk no beer.

Q. Do you mean to represent that you did not play at cup and ball with the men? *A.* I mean to say I had no concern with them at all—I did not play with them at all, nor lose 5*s.*—I did not threaten if they did not give it back to give them in charge.

Cross-examined by MR. PAYNE. *Q.* Are you quite sure Clarke was one of the three men that came up to you? *A.* Yes, I am—I have always been quite sure of him from the time of his being taken into custody.

Q. How long before the five men ran away did Clarke come up to you? *A.* I cannot say exactly, he might be walking along by my side seven or eight or ten minutes—they surrounded me—there was nobody with me but them—only these three surrounded me—I saw Clarke in custody on the Saturday as this happened on the Tuesday—I gave a description of the men to the patrol—I described the five men to him.

HENRY BENNETT. I was at work on Hillingdon-heath on the 12th of December, and saw the prosecutor—I saw five men surround him, and presently heard a dreadful cry out, "Come this way; come this way"—it was the prosecutor calling for help—I ran with all speed towards him—the five men ran away up the left-hand road as fast as they could, and I followed them up the Pollhill-road, across the meadows, towards Uxbridge.

Q. Can you tell who they were? *A.* I only know one of them—that is George Clarke—I knew him before—he had worked with me—I was about a hundred yards from him.

Cross-examined by MR. PAYNE. *Q.* Are you sure you got as near as a hundred yards? *A.* Yes—I have not had any dispute with Clarke—I worked with him in the service of Mr. Shoppe, of Uxbridge, last summer—I was discharged from Mr. Shoppe's employ—Clarke continued there after I was discharged—the men were all running after one another as fast as they could—I was better than two hundred yards off, I think, when the prosecutor called out—I ran about a mile and a half after the men—the nearest I got to them was about a hundred yards.

COURT. *Q.* What were you discharged from Mr. Shoppe's for? *A.* Through being saucy to master—Clarke had nothing to do with it at all.

MR. PAYNE. *Q.* Did you ever say that you knew Clarke before he was taken? *A.* No—nobody asked me.

MOSES LANDER. I am a horse-patrol. I received information of this robbery on the 12th of December, between eleven and twelve o'clock, from the prosecutor — he described the persons to me — I went and took Hutchinson, Steel, and Williamson—I did not know them before—I took them from the description the prosecutor gave me—when I took them Hutchinson ran down the town—I left Williamson and Steel in the custody of a man named Clarke and another, and went after Hutchinson—I brought him back, and found Steel in the custody of Murray the constable, not the persons I had left him with, and Williamson was gone—they were searched—I took this umbrella from Hutchinson, who had on the coat which Steel has on now—I found three thimbles, but no cups and balls—I found 2*d.* in Hutchinson's pocket—I asked if it was all he had —he said, "Yes"—I searched further, and found 4*s.* 6*d.* in his watch-pocket—I searched King, and found some money on him—I had not taken him myself, but my partner did—I found on him 2*s.* 6*d.*, 5*d.* in copper, and a counterfeit sovereign, or a Wellington medal.

Cross-examined by MR. PAYNE. *Q.* How many persons did the prosecutor describe to you? *A.* Five—I apprehended three of them—he did not identify them all as the persons who had been round him, as he said two were some yards off—he identified two as being two of the three that had been round him.

CHARLES JAMES MURRAY. I am a constable. I was at Uxbridge on the day in question—after the men had been apprehended there was an alarm that they were attempting to escape—I saw Steel on the top of an out-house, attempting to escape, and I took him.

JOHN BIRCH. I searched Steel, and found on him a pocket-book, half a crown, a shilling, and a *flash* note—on Williamson I found a shilling 5*d.*, a thimble, and comb.

JAMES DARVILL. I am a constable. I went to search for Williamson after he escaped—I found him behind a door of a bed-room at the Jolly Ostlers, concealed—he had lodged in that house, but not in that room—it was about two o'clock.

(MR. PHILLIPS *on behalf of Steel and Williamson stated their defence to be, that the Prosecutor had played at* thimble rig *with them, that he put down* 5*s.*, *which he lost, that he then complained of being cheated, and attempted to take the money from the prisoners, and gave an alarm of being robbed, on which the prisoners ran away, knowing they had been playing an illegal game.*)

(MR. PAYNE *on behalf of Clarke, made a similar statement.*)

STEEL—GUILTY. Aged 22.
CLARKE—GUILTY. Aged 20.
WILLIAMSON—GUILTY. Aged 19.
} Transported for Fifteen Years.

HUTCHINSON and KING—NOT GUILTY.

Before Mr. Justice Williams.

343. ROBERT SMITH was indicted for stealing, on the 29th of December, at St. Dionis, Back Church, 1 piece of handkerchief, value 3*l.*; 24 handkerchiefs, value 6*l.* 7*s.*; and two yards of silk, value 9*s.*; the goods of John William Monnery and another, in the dwelling-house of [illegible] Josiah Monnery.

[illegible]M NEWMAN. I am in the employ of Messrs. John William

Monnery and Edward Josiah Monnery, hosiers, glovers, and out-fitters, No. 165, Fenchurch-street. On the 29th of December, about five minutes to six o'clock, I was in the shop walking from behind the counter, to another counter on the left-hand, and hearing somebody come into the shop, I turned my head and saw the prisoner making towards a pile of handkerchiefs—I did not know him before, but I am certain of him—there are seven gas-burners in the shop—he went towards the handkerchiefs and took them off the pile—he left about two pieces on the counter—he took about forty-eight handkerchiefs, being eleven or twelve pieces of different lengths—he made towards the door and ran out directly—I ran after him calling out, "Stop thief"—he was not brought back for half an hour, but he was stopped eight or ten doors from the shop, within two minutes of his leaving the shop—I saw him stopped and taken into our shop—I saw two pieces of handkerchiefs drop from him—he had them all in his arms till the constable took hold of him, and he still had some under his arm.

EDWARD JOSIAH MONNERY. I am in partnership with my brother, John William Monnery. This shop is ours—it is the bottom part of my dwelling-house—my brother does not live there—I did not see any part of the transaction—I saw the goods brought back by the constable—they were the joint property of myself and brother.

JOSIAH EVANS. I am an officer. On the night of the 29th of December I was at the end of Fenchurch-street, within a few doors of the prosecutor's shop—I heard a cry of "Stop thief"—I looked from Fenchurch-street towards their shop, and saw the prisoner running down in the centre of the road—I got into the middle of the road, extended my arms, and caught him with the property in his possession—two or three pieces fell into the road—I took him into the shop—I produce the property which I found on him.

MR. MONNERY *re-examined.* These are all the property of myself and brother, and are worth above 9*l.*

Prisoner's Defence. I did not take the handkerchiefs out of the shop—another person took them, and I took them of him as he came out—I was coming towards the shop, and he threw them into my arms.

GUILTY. Aged 16.—Transported for Fifteen Years.

Before Mr. Baron Alderson.

344. WILLIAM TIGGELL was indicted for stealing, on the 1st of January, at St. Andrew, Holborn, 37 yards of merino, value 5*l.* 2*s.* 6*d.*, the goods of Ralph Eldridge and another, in his dwelling-house.—2nd COUNT, stating it to be the dwelling-house of Ralph Eldridge and another.

RALPH ELDRIDGE. I am in partnership with James Smith, and live in Charles-street, Hatton-garden—it is my dwelling-house, and is in the parish of St. Andrew, Holborn. Last Monday morning, the 1st of January, an opposite neighbour, named Badger, came and told me something—I ran out in pursuit, and saw two youths carrying away some merino on one of their shoulders—when they saw me they attempted to throw them over into an area, and ran away—I pursued, calling "Stop thief," but they got out of my sight—I came up soon after and found the prisoner stopped by a stranger—I took hold of him—I heard him ask the man to let him go, saying that he had stolen nothing, he was no thief, and I heard some-

thing about a broken window—to the best of my belief, he is one of the two that ran away, but I will not swear it—the value of the four pieces of merino is 5*l.* 2*s.* 6*d.* at cost price.

EDWARD BADGER. I work opposite Mr. Eldridge's. Last Monday I saw two persons at his shop—the prisoner was one of them—they were talking together at the shop window—the other one went in—the prisoner waited outside until the other came out with the stuff on his shoulder, and then he walked off with him—I went and informed Mr. Eldridge, and they pursued him—I am quite sure the prisoner is one of the two.

JAMES SMITH. I am a constable. I have two pieces of merino which I got from the prosecutor—they had been picked up.

GEORGE FINDLAY. I got these two pieces of merino out of an area in Kirby-street, Hatton-garden.

MR. ELDRIDGE *re-examined*. I picked up two pieces, one on the pavement and the other inside the area—they are two of the pieces the young man threw away—while I was at the station-house the policeman brought these two, which he found in an area—they are all four our property, and have our shop-mark on them.

Prisoner's Defence. I was going along, looking for a situation, and met this lad, standing next door by the fruit-shop—I was looking at some bills in a window to see if there was a bill about a situation—I saw the lad, and said, "Do you know of a situation?"—he said, "Yes, stop a minute, I will show you where there is one, but I must go into master's; I am going to take some goods home"—I said, "Very well"—he went in and came out after me, and said, "Come on, I will show you where the situation is"—I walked along with him, and presently saw him run—I ran after him—he said, "Come on, don't stop behind"—I heard a cry of, "Stop thief," and made a *grab* at the tail of his coat to stop him, but a lad stopped me, or I should have caught him.

GUILTY. Aged 17.—Transported for Fifteen Years.

Third Jury, before Mr. Recorder.

345. MARY MURRAY was indicted for assaulting Mary Murray, the elder.

MARY MURRAY, SEN. The prisoner is my daughter—I live at No. 13, Little Swan-alley, Coleman-street—I am an Irishwoman. On the 6th of December, from nine o'clock in the morning, until half-past ten, she quarrelled with me, and struck, tore me, and bit me—I have considered her out of her mind these four months, as she has been before—I never placed her in confinement but once before, that was at the Compter—she is not in her right mind, to the best of my opinion—I was sitting at work, and she stood up on the table, brought out some work, and began to pick it in pieces, and throw it in my face—she said, "This is fish, mother, it is fowl, here are the feathers"—I said, "Be quiet, I cannot do my work"—she said, "If you say a word I will *serve* you out"—she flew at me, tore me, and kicked me a good deal—we got into the passage, and I called for my landlady, and then she got my finger in her mouth—I screamed out, and my landlady screamed "Murder"—a policeman came, and took her in charge—she was only two days at home with me, and I have not had an hour's peace—I [illegible] given her into custody before, but did not go against her—I do not [illegible] she did this in malice—she laughed at me, and said she did not hurt

me—I believe she did it from a deranged state of mind, not being right in her head—she was a very good girl before she became in this state—she was always in a situation until she was taken ill in May—she has been ten weeks in the hospital—she has been at home with me ever since—I do not know what disorder she was in the hospital for—she was very ill and bad in her chest—she had a great giddiness in her head, and was *romancing* and talking—she was turned out of there for ill behaviour—she will sometimes sit and laugh an hour together without saying a word, and she will cry sometimes, and sit all alone, and not have any victuals to eat—she would not sleep at night, but be going about ther oom and laughing—I am told she does so now.

ANN GREGORY. I am the prosecutrix's landlady, and live in Little Swan-alley. When she first took the room, her daughter (the prisoner) came home ill—she went to the hospital, and came home again—she used to run about the kitchen and stairs *romancing*, and after that she used to beat her mother very much—I used to say, "Why are you so cruel, Mary, to your mother?"—she said, "I am not: mother does not use me well"—I said, "Yes, she does"—she would say, "Well, I don't hurt my mother," but I have taken her off her mother repeatedly—I consider her more like a deranged person than any thing else—she would lay in the kitchen the whole night, and lay on the stairs, and not get out of our way, and if spoken to she would laugh at us—I knew her before, and then she used to seem a very quiet, modest girl—I am certain she is now out of her mind by her conduct.

JOHN ANDERSON. I have come from Giltspur-street—the prisoner has been in custody twice before—the matron and surgeon both considered her quite insane—her conduct has been very violent, and she has been locked up to prevent violence being used to the other prisoners—I have not had the same opportunity of seeing her which the matron and surgeon have—her conduct was that of an insane person without any motive to provoke that conduct.

Prisoner. It was not my fault, it was the girls in the Compter began *rowing* with me—if my mother will be good, and not quarrel with me, I will not quarrel with her; but she begins with me, and I must begin with her—she takes up the broom and the poker, and all at me.

MARY MURRAY *re-examined.* I have several times taken the broom out of her hand, but I never held them at her, nor struck her.

NOT GUILTY, being insane.

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346. JAMES HALLS was indicted for a common assault.

GUILTY. Aged 52.—Confined Three months; and to find sureties.

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347. ANN BURKE was indicted for a common assault.

GUILTY.—Confined Two Months.

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348. JEPTHA MILLER was indicted for stealing, on the 15th of November, at St. James, Westminster, 18 yards of silk, value 1*l.* 16*s*; 2 handkerchiefs, value 7*s.*; 1 coat, value 2*l.*; and 2 pairs of trowsers,

value 1*l.* 7*s.*; the goods of Robert Parnell, his master, in his dwelling-house.

Robert Parnell. I am a hosier and outfitter. I live at No. 78, Tottenham-court-road, in the parish of St. Pancras—I am the house-keeper—the prisoner was in my service about two months—I discharged him—he continued loitering outside my premises after he left—he was constantly seen about the premises—he had been my errand-boy, and lived in the house when in my employment, and had 7*l.* a year—he had a box there which he left—as I suspected him, I would not give it up without first searching it—it was locked—I did not open it in his presence, as he left my house and went to Saffron-Walden the same night—I heard nothing more of it for a week or ten days—his mother then came to me, and wished to see the contents of the box—I told her I was very busy, but if she would call in a week or so I would attend to her—she did call again, and I burst the box open in her presence—I found in it a coat, two pairs of trowsers, eighteen yards of silk, and two handkerchiefs, which are mine (*looking at the property*)—I have a private mark on them—I had not sold them—his box was locked—nobody could have put the articles in after he left.

Q. If you suspected any thing, why not detain him, and have the box opened in his presence? *A.* I went up to see if his box was locked, and when I came down I found he was gone—I had told him before I went up that I meant to have it searched.

Prisoner. He never said a word about searching the box. *Witness.* He asked me to let him have his box—I said I should not without seeing the contents of it—he said nothing—I went up stairs afterwards to his bed-room and found his box was locked—I came down, and he was gone.

Prisoner. I was in his employ three months and a week—I deny putting the things into the box. *Witness.* I am not certain about the time he was with me—the articles are worth 5*l.* 10*s.*—that is the lowest price—the cost price to me—they are all new—I am quite certain they are not worth less than 5*l.*

Allen Horatio Garman (*police-sergeant E* 3.) I went to Saffron Walden on Tuesday, the 19th of December, to look for the prisoner—I found him on the 20th of December there, at Mrs. Granger's—I asked him if his name was Miller—he said it was—I asked if he knew Mr. Parnell, of London—he said he did—I said I was come to apprehend him on a charge of felony, for robbing Mr. Parnell—he said he knew nothing of it himself — Mrs. Granger was present, and she said to him, "Jeptha, know nothing of it, you cannot tell who has been at your box, which has been left there this length of time"—I took him into custody, and as I brought him away, he said, "Never mind, they cannot hang me for it this time."

Prisoner. Mrs. Granger did not tell me to know nothing about it. *Witness.* She did.

Prisoner. It was not Mrs. Granger. *Witness.* She represented herself as Mrs. Granger in his presence.

Prisoner's Defence. Mr. Parnell said nothing to me about having my box searched—he told me to go about my business one Saturday night—I [illegible] and asked him for my box—he said, "You shall not have it," and [illegible] me from the door—my mother was not at home, and I did not

know where to go—I went to Saffron Walden, and told my mother to go for my box—I had not the key, and do not know what they put in or took out, but I have lost a great many things out of it.

MR. PARNELL *re-examined.* There were bundles of different articles belonging to him in the box—I know nothing of any body having a key to the box except him—I found it locked, and never touched it till the prisoner's mother was present—I have a partner in one business, but not in this house—about 1*l.* is due to the prisoner for wages, but he never asked me for it—I had no quarrel with him—I turned him away because he altered a bill of parcels from 1*l.* 1*s.* to 1*l.* 1*s.* 6*d.*

GUILTY. Aged 18.—Confined One Year.

NEW COURT.—*Wednesday, January 3rd,* 1838.

Sixth Jury, before Mr. Common Sergeant.

349. WILLIAM LEAT was indicted for stealing, on the 30th of December, one handkerchief, value 1*s.*, the goods of a man unknown, from his person.

JOHN MARCH. I am beadle of Farringdon-without. On Saturday, the 30th of December, I saw the prisoner, with two others, in Fleet-street—I was on one side, and he on the other—I saw him pick a gentleman's pocket of a handkerchief, and turn to give it to his companions, but they saw me run across the way, and would not take it—he threw it down—I picked it up—he turned up Fetter-lane, and I lost sight of him for a second, but I am positive he is the person, I had known him before.

Prisoner. *Q.* You say I turned the corner of Fetter-lane? *A.* Yes, it was seven o'clock at night.

Prisoner. There were twenty or thirty persons and a mob ran up Fetter-lane, a gentleman laid hold of me. *Witness.* Yes, as I called, "Stop thief," I saw you take this handkerchief from a gentleman—I did not know who he was, he went on.

THOMAS LIGHTFOOT. I am an officer. I was there, and saw every thing that has been stated—I gave chase, and never lost sight of the prisoner at all—he was stopped by a gentleman almost within my grasp.

Prisoner. He was not near me at all. *Witness.* Yes, I was close to you—my hand was not six inches from you at the time you turned—you were just by the coffee-house—you saw me, threw down the handkerchief, and ran up Fetter-lane, and I after you—you were within six inches of my grasp when you turned.

Prisoner. It is a great mistake—they have not got the right person—I have a wife, and two small children,

GUILTY.* Aged 21.—Transported for Ten Years.

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350. RICHARD NORRIS and HENRY BUTLER were indicted for stealing, on the 28th of December, 1 pair of compasses and case, value 2*l.*, the goods of Gabriel Fleck, from his person.

GABRIEL FLECK. I live at No. 27, Penton-street, Pentonville, and am an engineer. I had a pair of compasses in my pocket on the 28th of December—about three o'clock in the afternoon, I was passing through Fore-street, a gentleman touched me, and asked me if I had lost any

thing—I felt my pocket, and these compasses were gone—I saw them taken out of a cellar—they are mine.

MICHAEL NEWMAN. I was in Fore-street about three o'clock that day, and saw something taken from the prosecutor's pocket by Butler—Norris was with him, and received the property from Butler, whatever it was—I had seen them before they went to the prosecutor's pocket—Norris looked at me, and stood half a second to consider which way he would go—he then made a run, and Butler followed him—I followed them down Coleman-street, and there Norris threw the property into a building—I went there with the officer, and found these compasses there, at the very place where I saw it thrown.

Norris. You said you saw me *chuck* something away, but what you did not know. *Witness.* Yes, I say so now—there were others ran, but you threw something down.

Norris. I don't know Butler at all—he is a stranger to me.

Butler. I was never near the gentleman's pocket.

THOMAS DRIVER. About three o'clock I was going along Coleman-street, and saw several persons run, and the prisoners were running—I saw Norris throw something into the cellar of a new building—that is the spot where these things were found.

THOMAS SHELLING. I was working in the cellar where the property was thrown—I picked it up and delivered it to the officer.

Norris. I was going to a fire, and heard the cry of "Stop thief!"—I ran with the mob, and this prisoner was taken, and so was I—they lost me for a quarter of an hour.

MICHAEL NEWMAN *re-examined.* I saw Butler take it, and Norris throw something down—they were taken about two minutes after that, not more.

NORRIS—GUILTY. Aged 21. } Confined Six Months.
BUTLER—GUILTY. Aged 21. }

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351. GEORGE BAXTER and GEORGE DOWDEN were indicted for stealing, on the 22nd of December, 9 gallons of ale, value 1*l.*; and one cask, value 8*s.*; the goods of William Louis Collins, their master.

WILLIAM LOUIS COLLINS. I live in Wood-street, Westminster, and am a brewer. The two prisoners were my labourers—on the 22nd of December I sent them out with a dray to deliver beer—in consequence of information, I had examined my casks in the brew-house, and among the empty casks I found one firkin of ale full, that ought not to have been there—I watched the prisoners—I got into a hackney-coach, and got before them to Mr. Kerridge's, No. 28, Peter-street, where I knew they were going—I planted the coach before the house, a little further on—I saw Dowden knock at the door—he went in and Baxter followed him—in a few minutes he came out, and took the full cask, and they remained about four minutes—when they came out, Baxter got on the dray, and drove it home—I went about my business, to wait till night to see if they would make any entry of that cask—it was Dowden's business to do it—he did not enter it, nor offer to pay any money.

Cross-examined by MR. PHILLIPS. *Q.* Were these persons in your father's employ before yours? *A.* Yes—my father used to make some of

the men a present of a firkin of ale at Christmas, and I should have given them a firkin if they had not stolen it—the prisoners were about two years in my father's service, and in mine about a year and a half.

JURY. *Q.* Did you give them a cask last year? *A.* No—I never gave them one—I did not give any of the men any ale at Christmas, 1836.

Cross-examined. *Q.* Did you give any of your men any ale last Christmas? *A.* I have given one man a cask—I will not swear I gave none of my men any ale at Christmas, 1836.

(The prisoners received a good character.)

BAXTER—GUILTY. Aged 20.—Confined Three Months.
DOWDEN—GUILTY. Aged 26.—Confined Six Months.

Recommended to mercy by the Jury.

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352. JOSEPH STOCKMAN was indicted for stealing, on the 15th of December, 2 pewter pots, value 2*s.* 6*d.*, the goods of John Jones: 1 pewter pot, value 1*s.* 2*d.*, the goods of James Alder: and 1 pewter pot, value 1*s.* 2*d.*, the goods of Thomas Gorrod.

JOHN JONES. I keep the Queen's Head public-house, in the Fulham-road. These two pint pots are mine—they are bent up—I cannot tell when they were taken—I only know the prisoner by seeing him at the office.

JAMES ALDER. I am a publican. I have lost pots—this one is mine.

THOMAS GORROD. I am a publican. This one pint pot is mine—I know nothing of the prisoner.

JAMES BROWNE (*police-constable T* 138.) I found the prisoner, on the 15th of December, in Bayswater, with these pots on him, all bent up.

Prisoner's Defence. Being at work on the Western Railway, on the 24th of December, while digging, I turned a plank over and found two pots—I laid them on one side—in the course of the afternoon I picked up two more, and put them with the others—soon after I dug up another without a bottom, and soon after I found the bottom of it—the whole of them were bent and knocked about—I called one of my fellow-workmen, and told what I had found—he examined them, but could not make out the names, they were so dirty—on leaving work I put them into my pocket, and was proceeding home, when a policeman stopped me, and asked what I had got—I said, "Some pots, which I found while I was at work"—he said, "You must go to the station-house"—the inspector asked how I got them—I told him—he locked me up, and the next morning I was committed to take my trial.

GUILTY.* Aged 21.—Confined One Year.

(There was another indictment against the prisoner.)

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353. JOHN KING was indicted for embezzling and stealing the sum of 2*s.* 6*d.*, 1*s.*, and 1*s.*, which he received by virtue of his employment as servant to Edward White.

EDWARD WHITE. I am a basket-maker and turner. The prisoner was my apprentice—it was his business to receive money for the things he sells in the shop, and to enter the money in a book, and put the money into the till—this money was marked, and given by me to different people—it was put on the counter by the people who went to buy goods—this shilling was marked by Mr. Fisher (*looking at it*)—there is only one I can identify, and the

half-crown—Mr. Fisher marked the shilling, and can prove it is the same—I did not see the money in the till—I have had no account in my books of it.

Cross-examined by Mr. Doane. *Q.* What did you mark? *A.* One half-crown and one shilling, but I cannot find the shilling—I had not marked any at any previous time, nor had any one by my desire—the prisoner had been with me three years—he boarded and lodged in the house—I found him in clothes, and gave him money besides occasionally.

Thomas Hancock. On the 15th of September Mr. White called on me and pulled a half-crown out of his pocket and marked it—I did not go with that to the shop—I gave it to my wife to send the servant—my wife's name is Rebecca.

Cross-examined. *Q.* You saw it marked? *A.* Yes—(*looking at it*)—this is it—it is marked on the reverse side, on each side of the word "Fid."

Mr. White. This is the one I marked.

Rebecca Hancock. I received a half-crown from my husband, and gave it to my servant Mary Ann Jackson.

Mary Ann Jackson. I received a half-crown and went to Mr. White's shop and bought a half-crown scrubbing-brush—I gave the same half-crown to the prisoner—I did not notice it.

Cross-examined. *Q.* Had you any other silver about you? *A.* No, none.

Eden Fisher. On Friday fortnight Mr. White called at my shop, and gave me a shilling—I marked it in his presence, and gave it to my boy John Brough.

John William Brough. I got the shilling and went to Mr. White's, and bought a shilling bottle of blacking—I gave the shilling to the prisoner—it was the same shilling as I had from my master.

Edward White *re-examined.* I had no account of the blacking or the brush—I did not find the shilling or half-crown in my till.

Mr. Doane. *Q.* What was in the till? *A.* There was money—I did not count it—I went to the till about half an hour after these people had been in—the officer found the money on the prisoner in my presence.

Jury. *Q.* Was the till locked? *A.* The key was attached to it—there were other articles entered in the book this day—these should have been entered, and were not.

(The prisoner received a good character.)

GUILTY. Aged. 18.—Confined Six Months.

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354. MARY BENFIELD was indicted for stealing, on the 4th of December, 1 pair of scales, value 14*s.*; and 11 weights, value 3*s.*; the goods of Richard Marginson.

Richard Marginson. I am a hatter, and live at No. 24, Homer-street. The prisoner was a lodger of mine—I had a pair of scales and weights in my back kitchen—they were safe on the 3rd of December—I missed them on the 4th and spoke to the prisoner—she said she wondered at my suspecting her, when there were other people in the house—these are my scales.

Charles Newton. I live with Mr. Greygoose, a pawnbroker. I took these scales and weights in of the prisoner, on the 4th of December, for three shillings.

Prisoner's Defence. I pledged them, they were given to me on the 4th of December, my husband had been very ill, he got up that day to attend Dr. Rowe, he came home and said, "How shall I get my medicine?" I said, "I do not know"—he said he would go to his brother's to see if he could lend him the money—he went, came back, and brought these scales, and said, "My brother has lent me these, you can go and pledge them," which I did in my own name, and ten days elapsed before the prosecutor said any thing to me about them.

GUILTY. Aged 31.—*Recommended to mercy by the Prosecutor and Jury.*—Confined One Month.

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355. JAMES FLETCHER was indicted for stealing, on the 11th of December, 125 yards of linen cloth, value 12*l.* 9*s.*; 3 shawls, value 4*l.* 10*s.*; 2 handkerchiefs, value 13*s.*; 1 veil, value 14*s.*; 6½ yards of lawn, value 12*s.*; and 1 canvass bag, value 3*s.*; the goods of John Williams and another, his masters: and HENRY MAY, for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.—2nd COUNT, for feloniously receiving the same of an evil disposed person.

LLEWELLYN PARRY. I am shopman to John Williams and Joseph Sowerby, living in Oxford-street. Fletcher was in their employ—on the 11th of December I missed this property—I charged Fletcher with taking them, he said he had stolen the goods—I only named two shawls—I accompanied the officer to May's lodgings, and found three pieces of linen, three shawls, and one piece of lawn—they were found under the sofa—May was present—Mace the officer took me there—Fletcher told me something to induce me to go—May said Fletcher left the goods there, and Fletcher said he would take any quantity at the same price.

Cross-examined by MR. CLARKSON. *Q.* Who does the firm consist of? *A.* John Williams and Joseph Sowerby—there are no other partners—I am the eldest there—I have not the control over the rest—we are all paid by the year—Fletcher is quite a youth—I suppose about twenty-one or twenty-two—he had been there eleven months—he made a full statement.

Cross-examined by MR. PHILLIPS. *Q.* Did you say one word before the magistrate that May said he would take any quantity at the same price? *A.* Fletcher said that May would take any quantity at the same price.

RICHARD GODWIN MACE. I received charge of Fletcher on the 11th of December—on the road I asked him how he came to rob his employers, he said he should never have thought to do so but through May, who tempted him to rob his employers—I got a search warrant, went to May's lodgings in Long-acre, and under the sofa I found these things, except two pieces of Irish, and a piece of lawn, which were in another part—May said part of them he took from Fletcher, and part he fetched from Mr. Williams's shop by Fletcher's desire—I found two more pieces of Irish, at a pawnbroker's—May is a journeyman shoemaker.

JOHN TICKNOR. I live at a pawnbroker's. I took in these two pieces of Irish of a female, whom I have understood for years to be May's wife—May has never stated that she was his wife—he has been there with her—she pawned in the name of May, in his presence.

(John Godwin, Ashley-street, St. Pancras; Albon Fisher, grocer and cheesemonger, Camberwell; —— Leslie, Stanhope-street, Clare-market,

and John Rees, traveller, Upper Berkeley-street, gave the prisoner Fletcher a good character. John Geary, bootmaker, of Chandos-street; John M'Guinea, egg-merchant, of Brook-street; Francis Cubley, boot and shoemaker, Well-street, Drury-lane; and —— Kennis, boot-maker, Lowther-arcade, Strand, gave the prisoner May a good character.)

FLETCHER—GUILTY. Aged 18.—*Recommended to mercy by the Jury.* Confined Six Months.

MAY—GUILTY. Aged 26.—Transported for Seven Years.

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356. MARY PAGET was indicted for stealing, on the 15th of December, 1 printed book, value 1*s.*, the goods of Louisa Rothery; 6 tooth-picks, value 15*s.*, the goods of Martha Drew; and 1 smelling-bottle, value 2*s.* 6*d.*, the goods of Jane Downs.

LOUISA ROTHERY. I am single, and live at No. 55, Upper John-street. I have a stand at the Pantheon, and sell books—on the 15th of December the prisoner walked up to my counter, and took something—I followed her, and charged her with it—she said she had not taken any thing—I opened her cloak, and saw a book belonging to me, and some silver tooth-picks fell on the ground—I took up the tooth-picks, and gave her in charge—this book is mine—this glass scent-bottle was in her reticule.

Cross-examined by MR. PHILLIPS. *Q.* Are you single? *A.* Yes—I am not certain whether there is any mark on this book—(*looking at it*)—there is not any mark on it—these books are sold elsewhere—I saw her take something—I know there was a book like this there a few minutes before, and I missed it directly after seeing her at my counter.

(The prisoner received a good character.)

GUILTY. Aged 64.—*Recommended to mercy by the Jury.* Confined Three Months.

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357. EDWARD M'HALE was indicted for stealing, on the 28th of December, 15lbs. weight of lead, value 2*s.*, the goods of John Townsend and others, and fixed to a certain building; against the Statute, &c.

JOHN LEONARD. I am a builder, living at Holloway. I was employed in repairing some buildings for John Townsend and others, in Goswell-street, and had lead there—I missed some, and found this at Mr. Maynard's shop—I have fitted it to the work, and it fits exactly—I know the prisoner—he was in our employ—this lead belongs to Mr. Townsend and others—it is worth 1¾*d.* a pound.

JOSEPH MAYNARD. I keep a marine-store-shop. I bought this lead of the prisoner—this bit on Wednesday, 9lbs. at a 1*d.* a pound, which is the regular price—this bit was bought of him the week before, at the same price—this other bit was bought by Mrs. Maynard.

Prisoner. I never saw the man till I was at Hatton-garden, to my knowledge.

ELEANOR MAYNARD. I am the wife of the last witness. I bought this piece of lead of the prisoner—it is nearly 5lbs—I gave him 6*d.* for it.

Prisoner. I never had this lead in my possession—they said they had it of a man of the name of Conner.

GUILTY—Aged 59. Confined Six Months.

358. WILLIAM SIMMONS was indicted for a misdemeanor.
(Upon which no evidence was offered.)

NOT GUILTY.

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359. JOHN ASHFORD was indicted for a misdemeanor.
(Upon which no evidence was offered.)

NOT GUILTY.

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360. CHARLES LOCKETT was indicted for stealing, on the 12th of December, 2 printed books, value 6*s.*, the goods of George Willis; to which he pleaded

GUILTY. Confined One Month.

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361. MICHAEL MURTY was indicted for stealing, on the 20th of December, 209 cigars, value 25*s.*, the goods of Henry William Cass.

HARRIETT CASS. I am the wife of Henry William Cass, a tobacconist, and live in Ratcliff-highway. About half-past nine o'clock on the morning of the 20th of December I was in my parlour—the prisoner came and asked if it was a barber's shop—I said, "No, next door"—he came in five minutes afterwards and had an ounce of tobacco—I served him—he stood talking about the price—in five minutes afterwards I was in the parlour, and heard a noise in the shop—I went in and saw the prisoner with the cigars in his pocket—he asked me to let him look at the tobacco boxes—I looked for them, missed the cigars, and said he had got them—he said he would give them me back if I would not make an alarm—he flung some out of his pocket on the floor, and shut the door that I should not go out, but I stopped him, and a neighbour came over, and he got them all out while I went out and shut the door to call for assistance.

Prisoner. *Q.* Did you see me put them into my pocket? *A.* No, but I saw you take them out.

JEREMIAH SHANAHAN (*police-constable H* 21.) I was called in, and saw the cigars strewed on the floor.

Prisoner. I went in and knocked a few off the counter—I had not any in my possession at all.

GUILTY—Aged 20. Confined Six Months.

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362. JANE GREEN was indicted for stealing, on the 23rd of December, 6 pairs of boots, value 27*s.*; 1 bed-gown, value 1*s.*; and 1 handkerchief, value 6*d.*; the goods of John White: and that she had been before convicted of felony.

SOPHIA WHITE. I am the wife of John White, of Berwick-street, Soho. I was going up stairs about four o'clock on the 23rd of December, and met the prisoner coming out of my bed-room—I did not know her—she had no business there—I found a bundle in her hand in a bed-gown—I asked what she was going to do with it—she made no answer—I then called out—this bundle contains my husband's property—here are six pairs of boots, a bed-gown, and handkerchief—they were all in my room on the bed.

Prisoner. They were on the stairs. *Witness.* They were on the bed—I

left them safe not five minutes before—not any one had been in the room but her—there was not sufficient time.

THOMAS BUCKERIDGE (*police-constable C* 38.) I took the prisoner, and have the property.

Prisoner. If they had taken me into the house I should not have been in such a place as this—I have got plenty of relations but no friends.

FREDERICK BRIND (*police-constable F* 102.) I produce this certificate from Mr. Clarke's office—(*read*)—the prisoner is the same woman.

GUILTY. Aged 62.—Confined Three Months.

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363. JOHN ATKINS was indicted for stealing, on the 22nd of December, 5 fowls, value 6*s*., the goods of Henry Aldhous.

HENRY ALDHOUS. I keep the Eyre Arms, St. John's Wood. I had five fowls on the 22nd of December, and missed them on the morning of the 23rd—I have since seen them—I believe them to be mine—I kept them in a stable in the stable-yard.

JOHN WOOLFE (*police-constable S* 20.) At eleven o'clock on the night of the 22nd of December I met the prisoner with a handkerchief under his arm—I stopped him and asked what he had got—he dropped one fowl from under his coat—there was another lad walking with him—he ran away—I asked the prisoner where he got that fowl from—he said, "Up the town"—I then took the handkerchief and asked what he had got—he said, "Fowls"—I found three fowls in it—I took him to the station, and the next morning Mr. Aldhous owned the fowls—they were all dead, but quite warm—the prisoner said they were given to him.

GUILTY—Aged 19. Confined Six Months.

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364. JOHN SMITH was indicted for stealing, on the 17th of December, 3lbs weight of mutton, value 1*s*. 6*d*., the goods of Rowland Wilder.

ROWLAND WILDER. I am a butcher, and live in the Edgeware-road. I was in the shop, and heard Finegan call to a man to put the mutton down—I came out, she pointed out the prisoner and said he had got the mutton—he ran—I ran as well—I ran to a corner and there the mutton was thrown down—I ran on and caught the prisoner—he said he had not taken any mutton, nor seen any—just as he said that, a boy came and said he had taken the mutton home which he saw the prisoner throw down.

MARGARET FINEGAN. I saw the prisoner take up the mutton and spoke to him to put it down—he looked at me and walked off—I then pointed him out to the prosecutor and he ran.

WILLIAM PECK. I saw the prisoner chuck the mutton down, and I took it home to the shop.

GUILTY—Aged 28. Confined Three Months.

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365. SAMUEL KENNELLY was indicted for stealing, on the 23rd of December, 1 handkerchief, value 2*s*., the goods of James Milne, from his person.

JAMES MILNE. I live in Orchard-street, and am a plasterer. On the 23rd of December I was close by the Horse Guards, at about a quarter to two o'clock—Webb gave me some information—I then missed my hand-

kerchief—I had seen it about half an hour before—this is mine, and the one I had in my pocket.

JAMES WEBB (*police-constable V* 134.) I was on duty, and saw the prisoner go behind the prosecutor, take the handkerchief from his pocket, and put it into his own—I took him with it—he said, "It is my first offence"—I found this other handkerchief on him, and two duplicates, which I have ascertained were his own property.

GUILTY. Aged 19.—*Recommended to mercy by the Prosecutor.*
Confined One Month.

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366. WILLIAM BROWN was indicted for stealing, on the 30th of December, 1 sheet, value 5*s.*, the goods of Edward Jones; to which he pleaded

GUILTY. Aged 35.—Confined One Month.

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367. THOMAS SMITH was indicted for stealing, on the 11th of December, 1 handkerchief, value 2*d.*; 1 crown, 2 half-crowns, 9 shillings, and 1 sixpence; the goods and monies of William Blackwell; to which he pleaded

GUILTY. Confined Three Months.

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368. PETER BRADLEY was indicted for stealing, on the 22nd of December, 1 handkerchief, value 6*d.*, the goods of John Braithwaite, from his person.

JOHN BRAITHWAITE. I am an engineer, living at the Manor-house, Westbourne-green. I was returning from London in one of Cowderoy's omnibuses, on the 22nd of December—I was sitting on the left-hand side with my right pocket next to the door—there were two persons on the step for a very considerable time, but at this time there was only the prisoner on the step—I felt a little twitching at my pocket—I could not see any one—I looked very quietly, and saw the handkerchief going through the crack of the door, and it went on until it was taken out through the crack—I got up, looked at the prisoner, and said, "I will stop here"—I saw him throw the handkerchief on the step—I jumped out, seized him, and gave him to the police—I saw it in his hand, and then he threw it down on the step.

Prisoner. It was quite accidental that I saw the omnibus at that time of night—I am not the conductor.

Cross-examined by MR. PHILLIPS. *Q.* What time was this? *A.* One o'clock in the morning—I had rode from Oxford-street—I left the City at twelve o'clock, and was at Paddington by one—I did not leave the City in the omnibus—I might have been half an hour in the omnibus—that is the nearest guess I can make—I think I got in in Oxford-street—it might have been the end of Oxford-street—I do not recollect the street—to the best of my belief it was Oxford-street—I cannot swear whether it was the end of Oxford-street, or the top of Holborn—I had been dining with some solicitors and a friend of mine, at the Guildhall Coffee-house, near Guildhall, about half-past eight o'clock—I had been attending the Court all day in the

Common Pleas—I drank, of course—I was perfectly sober when I got into the omnibus—I took no particular notice where I got into it—I will not swear I did not get in at the bottom of Snow-hill—there were two or three persons in the omnibus when I got in first, but none at the time of this occurrence—they might have passed me to go out—I was sitting at the door—there is a portion of the omnibus, between the seat and the door, that would be between me and the person outside—I saw the handkerchief in the prisoner's hand, in Great James-street, Paddington—I called as loud as I could, "Stop, I will get out here"—the prisoner was on the step—I called several times before they did stop—it might have been half a minute from the time I called, until it stopped, and he had the handkerchief in his hand—there was no one else present at that time—there was a boy on the pavement at some distance from the omnibus—I did not take my handkerchief out at all during the time I was in the omnibus—I had it in my pocket just as I have it now—the door was ajar.

George Anderson (*police-constable D* 136.) I was in Great James-street, and heard a cry of "Police," and the prosecutor was holding the prisoner—he gave him into my custody, and the prisoner said he did not see the handkerchief until it was on the step—I considered the prosecutor as sober.

Cross-examined. *Q.* Was there another policeman with you? *A.* I was the first that came—there were two others came up in about half a minute.

NOT GUILTY.

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369. GEORGE ALEXANDER was indicted for stealing, on the 19th of December, 1 pair of half-boots, value 4s., the goods of William Henry Pollock.

William Henry Pollock. I live in Chapel-street, Edgeware-road, and am a boot and shoemaker. About eleven o'clock on Tuesday morning, the 19th of December, I had some half-boots outside—I missed some about four o'clock—these are mine.

Christian Sax. I am shopman to a pawnbroker, who lives in Marylebone. These boots were pawned by the prisoner on the 19th of December.

Prisoner. Q. How can you swear to me? I was never in his shop in my life. *A.* There is a boy that comes that is shorter than him, but I believe he is his brother—I asked who the boots belonged to, he said, himself—the prisoner is the person who pawned them—I asked if they were his own property, he said, "Yes"—he said he lodged at No. 16, Nightingale-street, which is where he was found and taken.

——— Hannington (*police-sergeant D* 9.) I got information from the witness, and took the prisoner on the 20th—he identified him directly.

Prisoner. When I got home, my brother told me there had been a policeman after me, and he did not know but he could put a crown in my way; he came and knocked at the door, and I answered him, and then he said I must go with him to the pawnbroker's—and as soon as they opened the door, they said, "That is him"—how can the pawnbroker tell it was me, when there are many go into his shop?

Jury to Christian Sax. Q. Had you any previous knowledge of this

prisoner? *A.* No; only his brother—there were no other boots of this description pledged that day.

COURT. *Q.* Are you sure it was not the brother? *A.* Quite certain—it was in the evening—I have no doubt whatever that he is the person.

Prisoner. *Q.* What dress had I on? *A.* A jacket similar to what you have on now, of a dirty, light colour, and I think a fur cap.

GUILTY.* Aged 20.—Transported for Seven Years.

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370. THOMAS BOYALL was indicted for stealing, on the 10th of December, 1 peck of oats, value 2*s.*, the goods of George Salter, his master.

MR. DOANE *conducted the Prosecution.*

WILLIAM SALTER. My father is a livery-stable keeper in Hubbard-place, Eaton-square. The prisoner had been in my father's service as stable-man—I have often heard my father complain of missing corn, and spoke to the prisoner about it—he gave no account of it—I made a hole through a partition in one of the stables into the cellar, on Sunday morning the 10th of December, I looked through the hole and saw the prisoner—his wife came in with a basket—there was a bin of corn there—the woman gave the basket to the prisoner—he put it into the bin, and then put his hands in as if in the act of filling the basket—he then shook it and wiped it with his hands—I could see the oats drop from the basket—he put it on the ground—the woman took it and went off—I mentioned it to my father—the woman and basket were then gone—I saw the basket the next morning—it had some grains of corn in it.

Cross-examined by MR. PHILLIPS. Q. Why did you not follow her? *A.* I did not like, till I advised with my father—I did not see into the basket—I saw corn drop from it when the man shook it—the basket came in empty, and went out loaded—I saw him putting his hands into the bin as if filling it—I saw no corn in his hands—I was twenty-four or twenty-five feet from him—I saw he held the basket in his right hand, and he drew his left hand towards it—I will not swear I saw him touch any corn.

MR. DOANE. *Q.* You saw the corn inside the basket the next morning? *A.* Yes.

ANDREW CLEMENTS (*police-constable P* 141.) I took the prisoner on Monday morning—I went to the lodgings and saw two grains of oats inside the basket.

GEORGE SALTER. I am the prosecutor. This corn was my property.

GUILTY. Aged 49.—Confined One Year.

(There was another indictment against the prisoner.)

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371. MARY TIPPEN was indicted for stealing, on the 19th of October, 1 pair of boots, value 4*s.* 6*d.*, the goods of William James Summersett Kemmish, her master.

WILLIAM JAMES SUMMERSETT KEMMISH. I am a boot and shoemaker, and live in the Lowther Arcade. The prisoner used to work for me—I have missed, within nine months, between fifty and sixty pairs of boots and shoes—on the 9th of October I missed two pairs—I mentioned it to the prisoner—she said it was very strange who could rob me—I went to the station and gave information—this is one pair of those I missed that day—(*looking at them.*)

Prisoner. You said you lost a pair the night before, and gave me in charge. *Witness.* Yes, but it has nothing to do with this.

HENRY JOHN RUDDLE. I am shopman to Mr. Fleming, a pawnbroker, in St. Martin's-lane. I took in these boots on the 19th of October, but could not swear from whom—this is a counterpart of the duplicate I gave—they were pledged in the name of Ann Tippen—both the prisoner and her daughter had pledged with me in that name—whether she pledged this pair or not I cannot tell.

Prisoner. You said, "That is not the Mrs. Tippen who pledged them"—I have been in the parish twenty-eight years. *Witness.* I said to the prosecutor I did not think that was the person I took for Mrs. Tippen, but she had a red handkerchief tied over her forehead then—she is the person that has pledged at our house, but I cannot tell whether she is the person who pledged these.

THOMAS POCOCK (*police-constable F* 38.) I went to the prisoner's room and asked her where the duplicates were of the boots that she had been robbing her master of—(she said, "Mr. Kemmish, I hope you don't accuse me?"—he said, "I do"—she said, "If you will forgive me, I will tell you all"—that was said before the Magistrate, and written down)—I asked for the duplicate of the boots—she said, "I have destroyed it."

WILLIAM JAMES SUMMERSETT KEMMISH *re-examined.* I heard the prisoner say this—she clung to my hand, and said, "I will tell you all, and go to the pawnbroker and show you"—I said I dare not make any promises.

Prisoner. Can you say that I was sensible when you were there?—when I came to myself there was a jug of water before me, and you took it up and drank. *Witness.* I did not—she stated what I have said.

Prisoner. I am entirely innocent as a new born babe—I have lived twenty-eight years in that neighbourhood.

GUILTY. Aged 45.—*Recommended to mercy by the Prosecutor.*
Confined One Year.

Fifth Jury, before Mr. Sergeant Arabin.

372. ANN ROWE was indicted for stealing, on the 20th of October, 6 yards of carpet, value 7*s.*, the goods of Peter George Patmore, her master.

PETER GEORGE PATMORE. I live at No. 7, Southampton-street, Fitzroy-square. The prisoner was my cook—about a month before this happened I and my family went to Hastings, we were absent three weeks—we left the prisoner and my mother in the house—when we returned we missed no property—it was missed in three or four weeks—I gave the prisoner warning immediately I returned, and she left me in a month—about a fortnight after she left these things were missed.

WILLIAM LANCE. I am a pawnbroker, and live at No. 9, Palace-row, New-road. I produce three small pieces of carpeting—I took them in of the prisoner at three different times—on the 12th of October, on the 20th, and on the 30th—they are each about two yards in length—it is old carpeting—two of them were pawned for 2*s.* each, and one was 2*s.* 6*d.*

JEREMIAH CAMPBELL (*police-constable F* 121.) I took the prisoner in

PETER GEORGE PATMORE. This carpeting is all mine—(*looking at it*)—I have no doubt—I can swear positively to these two pieces.

CLARISSA MARIA PATMORE. I am the prosecutor's mother. I think this is my son's property.

Prisoner's Defence. On the 20th of November I was taken from my lodgings by a policeman to Paddington watch-house, on suspicion of pledging three pieces of carpeting, one of which is my own—the two others I pledged for the necessities of the family, having spent all my own money; and although I repeatedly asked for money, I never received more than 6*d.* or 1*s.* at a time—I was obliged to leave them, having had a fall which broke two of my ribs—they would not give me 1*s.* to pay my coach-hire, though I was too ill to walk; I applied to the pawnbroker, who offered to purchase them for 6*d.* each, to which I agreed, being in distress, to support myself and child.

JURY *to* PETER GEORGE PATMORE. *Q.* Is it true that you were indebted to her? *A.* No, quite out of the question—there was 2*l.* 10*s.* due to her—she had been but a week in my service when I left home, and these were pawned after my return—I found her intoxicated when I came home, which led me to give her warning—I missed a great many other things.

GUILTY. Aged 37.—Confined One Month.

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373. THOMAS WETFORD was indicted for stealing, on the 4th of December, 1 jacket, value 12*s.*, the goods of Peter Burke: 12 bottles, value 1*s.*; and 9 quarts of wine, value 25*s.*; the goods of John Whitmore, in a vessel in a port of entry and discharge.

PETER BURKE. I am steward of the *Eliza*, lying in the West India Docks. On the 2nd of December I went on shore, at six o'clock, and locked the cabin, and did not go back till ten o'clock on Monday morning—I had left my jacket in the cabin, and the wine in the locker—when I returned I found the sky-light broken in, and any one could get into the cabin—I looked and missed my jacket, and a dozen bottles of wine were gone—I had seen the prisoner about, and ordered him away—he does not belong to the vessel at all—this was in the West India Docks, which is a port of entry and discharge.

EDWARD NATHAN. I am a pawnbroker, and live in Three Colt-street, Limehouse. I have a jacket which was pawned by the prisoner on the 4th of December.

PETER BURKE. This is my jacket that I lost from the cabin—(*looking at it.*)

JAMES WADEY. I am a policeman. I took the prisoner—he said, in going to the station-house, that it was the apprentice who gave him the jacket to pledge, and he gave him the money and the duplicate.

Prisoner. The apprentice I know, and he used to take me on board and sleep there—I met him outside the gates on the 4th, and he gave me this jacket to pawn, which I did, and gave him the money.

PETER BURKE *re-examined.* We had William Thomas on board—I left him on board when I left the ship, and he ran away—I did not see him till he was taken up—we had him in custody—the vessel was in the Export Dock.

Prisoner. I came back towards the Dock, and he asked me whether I

had seen the lad—I said I had, and he asked me about the jacket I told him the chap gave me a jacket, and I pawned it.

NOT GUILTY.

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374. JAMES HANNAN was indicted for stealing, on the 16th of December, 29 yards of flannel, value 1*l.* 5*s.*, the goods of Thomas Boyle.

JOHN CHARLES RAY. I am a plumber, painter, and glazier. On the 16th of December, from nine o'clock to eleven in the morning, I saw the prisoner, and took him with this property on him—in the first instance I saw four persons, one of them was carrying a roll of flannel—I cannot say whether it was the prisoner, or whether he was one of the four—I went to a policeman's lodgings and he was not at home—I then ran after the four people, and saw the prisoner alone with the flannel, and took him with it—he ran from me—the policeman and I took him.

ROBERT BARKER (*police-constable* 106.) I saw the prisoner make his escape from Ray—he and I ran and took him.

THOMAS BOYLE. I am a linen-draper, in St. John-street. This is my flannel—(*looking at it*)—it has my mark on it, in my own writing—I missed it between nine and ten o'clock on the day stated—it was taken from the counter.

Prisoner. I was walking up the street, and some person asked me to carry this flannel—I took it a short distance, and this man came and took it—I missed the person who gave me the flannel.

(The prisoner received a good character.)

GUILTY. Aged 17.—Confined Six Months.

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375. JAMES TANSWELL was indicted for stealing, on the 14th of December, 1 fuzee cutting engine, value 4*l.*; 2 vices, value 11*s.* 6*d.*; 3 screw-plates, value 9*s.* 6*d.*; 8 files, value 4*s.* 9*d.*; 2 pairs of pliers, value 2*s.* 6*d.*; 10 tools called arbors, value 5*s.*; 2 tools called verrals, value 2*s.*; 1 pair of turns, value 2*s.*; 1 eye-glass, value 1*s.*; 3 tools called broaches, value 1*s.*; and 3 screw-drivers, value 9*d.*; the goods of Frederick Charles Dickinson, his master.

FREDERICK CHARLES DICKINSON. I am a watch-maker, living in Tabernacle-walk, City-road. The prisoner was in my employment as journeyman about two months—on the 14th of December I went down the garden, and left him in the shop—I was absent not a quarter of an hour, and when I returned he was gone without leave—I had missed one thing previous to his going, and when he was gone I missed the others—here is the fuzee-engine, and the vice, and other things stated in the indictment, which have since been found—these are all my property—(*looking at them*)—he had no right to take them off the premises.

WILLIAM CLOAKE. I live with Mr. Woods, a pawnbroker in St. John-street. I took in this fuzee-engine of the prisoner.

ALEXANDER SCOTT. I am a policeman. I took the prisoner—from information I went to Twister's-alley, Bunhill-row, and found these other articles concealed in a cupboard—I found 4*s.* 9½*d.* on the prisoner, and a duplicate of the fuzee-engine—he partly acknowledged to it at Worship-street office—he asked me if I thought the prosecutor would [illegible] him if he got his tools back—I said I could not tell him.

Prisoner. He said it would go much easier for me if I would tell —I did it because I was quite destitute, and Mr. Dickinson owed me money.

FREDERICK CHARLES DICKINSON. He is a debtor to me, and he left his work unfinished.

GUILTY. Aged 18.—Confined Six Months.

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376. JAMES BURN was indicted for stealing, on the 28th of November, 1 dead goose, value 6*d.*, the goods of Ann Cook; to which he pleaded

GUILTY. Aged 40.—Confined One Month.

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377. MARY MACK was indicted for stealing, on the 13th of December, 1 pair of shoes, value 4*s.*, the goods of Michael Geary; to which she pleaded

GUILTY. Aged 18.—Confined Three Months.

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378. THOMAS LAWDEN was indicted for stealing, on the 14th of December, 4 shillings, 3 sixpences, 12 pence, and 24 half pence, the monies of Frances Camille; to which he pleaded

GUILTY. Aged 12.—Confined Three Months.

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379. JAMES MATTHEWS was indicted for stealing, on the 25th of December, 1 pewter pot, value 1*s.* 2*d.*, the goods of William Wale; 1 pewter pot, value 1*s.* 6*d.*, the goods of Edward Whatmore: and 1 pewter pot, value 1*s.* 6*d.*, the goods of Thomas Sanders.

WILLIAM WALE. I am the grandson of William Wale—he keeps the Bayswater Tavern, Elm-lane. I called at No. 19, Elm-lane, on the 25th of December, and asked for a pot—I rang the bell and went away—I was away five minutes, and when I came back to the house I could not see the pot—I went and saw the prisoner about 200 yards from the house I had rung at—he was with another person—I followed them up to Porchester-terrace—one of them stepped back—I passed him, and the prisoner went on—I went up to the prisoner, took hold of his collar, and took off his hat, in which I found a pint-pot belonging to my grandfather, and another pot with it, battered close—the prisoner said, "Let me go"—the other man came up, and said, "Let the poor fellow go"—I said I should not—the prisoner went a few paces very quietly, and then he made a great resistance, and struck me several times—the other man ran up to his assistance, with a large hammer, and would have struck me if I had not let the prisoner go—I ran back and called a man to my assistance, and when I returned, the prisoner was making his escape across the fields—I followed him, and never lost sight of him till he got to Bridge-road, Paddington, and there the *cab*-man and I took him—he was quite a stranger to me —he struck me, and swore he would kill me—one of the pots I saw in the prisoner's hat was my grandfather's.

DANIEL BROWN. I work for my father, who is a gardener. On the 25th of December I came to Porchester-terrace, and saw Wale and the

prisoner struggling—I saw the other man go up with a sledge-hammer, and swear he would kill him—I am sure the prisoner is the person.

ANN WHATMORE. I keep the New Inn, Edgeware-road. This quart pot belongs to my husband, Edward Whatmore.

THOMAS SANDERS. I am a publican in Wimpole-street. This quart pot is mine—it is beaten up in the same way as the others.

MICHAEL BROWN. I am a policeman. I searched the prisoner, and found part of a quart-pot in his coat pocket, and these others in his trowsers, down in his knees—the four bottoms of the pots were in his trowsers pocket.

WILLIAM WALE *re-examined*. The other man picked up the two pots I saw in the prisoner's hat, and ran away with them while we were struggling.

Prisoner. The other man gave me the property—I did not take it.

GUILTY. Aged 19.—Transported for Seven Years.

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380. JANE BURGESS was indicted for stealing, on the 28th of December, 2 shirts, value 8*s.*; 1 collar, value 1*s.*; and 1 pair of trowsers, value 1*s.*; the goods of William Newberry.

AMY NEWBERRY. I am the wife of William Newberry, and live in Queen-street, Edgeware-road. On the 28th of December I had some things hanging out to dry, and among them the things stated—at half-past ten o'clock in the evening I heard the line break in the yard—these things were in the yard—I then heard the middle door open and shut—I went out and saw the prisoner walking slowly away—I saw the sleeve of a shirt hanging below her shawl—I asked her to come back with me, which she did, and I found this property under her shawl—I did not know her—she begged to be forgiven—this is my property—(*looking at them*)—she was in liquor, but could walk very well and speak.

FREDERICK BALLIEU (*police-constable D* 111.) I took the prisoner.

Prisoner. I was very much in liquor at the time.

GUILTY. Aged 21.—Confined Three Months.

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381. JOSEPH UPTON was indicted for stealing, on the 28th of December, 7¾lbs. weight of beef, the goods of Thomas Pettinger.

THOMAS PETTINGER. I live in St. John-street, and am a butcher. At half-past ten o'clock in the morning of the 28th of December I saw the prisoner take the beef off my board—I ran after him—he ran about four yards, and threw it down—there was 7¾lbs. of it.

GUILTY. Aged 18.

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382. MARY ANN GREEN was indicted for stealing, on the 2nd of December, 1 pair of drawers, value 1*s.* 6*d.*; 1 table-cloth, value 4*s.*; 1 towel, value 1*s.*; and 1 pair of stockings, value 6*d.*; the goods of Mary Elizabeth Sherwood, her mistress.

MARY ELIZABETH SHERWOOD. I take in washing. The prisoner was employed by me to iron, and had been so for upwards of two months—on the 2nd of December I missed a pair of drawers, and afterwards a table-

cloth and towel—I afterwards suspected the prisoner, and spoke to her about it—I asked whether she was guilty of robbing me of these things—she said, "No"—I went to the station-house and had her lodgings searched in my presence, but nothing was found there—this table-cloth and towel were found at the pawnbroker's—they are what I lost.

JOHN ALTON. I am a pawnbroker. I took in this table-cloth of the prisoner on the 5th of December.

ANN M'CARTHY. The prisoner sold me a pair of drawers on the 2nd of December—I gave her 3*d.* for them.

JAMES CLARKE. I am a policeman. I took the prisoner, and found a pair of stockings in a bundle which the prisoner had—the prosecutrix owns them.

Prisoner. She owed me some money, I owed a week's lodging, and took the table-cloth—she said if I would tell her she would not do any thing to me.

GUILTY. Aged 19.—*Recommended to mercy by the Prosecutrix.*
Confined Three Days.

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383. JAMES CARR was indicted for stealing, on the 21st of November, 2 sovereigns, 1 £10 note, and 1 £5 note, the monies and property of George Row.

GEORGE ROW. I keep a boot and shoe-maker's shop, in Kingsland-road, in the parish of St. Leonard's, Shoreditch. I know Mr. Wall—I owed him a balance of a bill to the amount of 22*l.* in all, but there were some goods that did not suit me—on the 21st of November the prisoner brought me a letter—it was very much like Mr. Wall's writing, but I would not swear to it—the letter is lost—I cannot find it—in consequence of that I broke open another letter, which had contained this money nearly a week before, Mr. Wall having promised to be in London on the day that the prisoner came—I put a £10 note, a £5 note, and two sovereigns, into a letter—I took the numbers of the notes, and called the prisoner, and showed him them—the prisoner made himself known to me as Mr. Wall's agent—I told him it was for Mr. Wall—he gave me a receipt for it—Mr. Wall lives at Northampton—this is the letter I gave the prisoner, with the money—this is the receipt the prisoner gave me—(*read*)—

"Nov. 21, 1837.—Received 17*l.* 1*s.* 3*d.*, of Mr. Row, for Mr. Wall.
"JAMES CARR."

Cross-examined by MR. CLARKSON. *Q.* Did the prisoner ever tell you it would be better for you to send your letter by the two-penny or general post? *A.* No—he said he was an agent for Mr. Wall—I stated that before the Magistrate—I thought he was Mr. Wall's agent, or I should not have paid him—I have not the letter from Mr. Wall—I lost it from the time the prisoner went out of the house—that letter gave no authority to me to pay the prisoner—I should not have paid him if he had not represented himself in the light he did—Mr. Wall demanded 22*l.*—he said the amount of his goods was 22*l.*—I had returned some goods and there was a discount—he did not know what goods I should throw out.

WILLIAM WALL. I live at Northampton. Mr. Rowe was indebted to me about 22*l.*—I never received the notes, nor the money.

Cross-examined. *Q.* You did not address any letter to Rowe, autho-

thing him to settle with any one? *A.* No, nor had I agreed to take 17*l.* for my debt.

WILLIAM PATEMAN. I am a policeman. I found the letter that has been produced at the prisoner's lodgings.

HENRY PEARCY. I live at a wholesale shoe warehouse in St. John's-street. The prisoner came there on the 8th of December, and asked me to change a £10. note—I got it changed for him—I wrote my own name on the note—I saw it again at Hatton-garden office—this is it—(*looking at it.*)

Cross-examined. *Q.* Are you in the habit of putting your name on notes that pass through your hands? *A.* In general I am—I can swear to my handwriting on this note.

FRANCIS LEWIN. I live at No. 14, Cork Terrace. On the 12th of December I took the £10. note produced from a baker of the name of Fisher—I held it from the 12th to the 15th, and then paid it to my bankers.

CHARLOTTE HALL. I am the wife of John Hall, he keeps a public-house in St. John's-street. The prisoner lodged at our house—on the 8th of December, to the best of my recollection, the prisoner took a £10. Bank-note out of a parcel to get changed—I saw the £10. note, and was asked to change it—I had the parcel in my possession—I received it from the prisoner to take care of—I gave it to the prosecutor.

GEORGE ROW *re-examined.* The last witness gave me the parcel with my letter and some other papers—this is the £10. note that I put into my letter.

GUILTY. Aged 28—Transported for Seven Years.

OLD COURT.—*Thursday, January 4th*, 1838.

Second Jury, before Mr. Sergeant Arabin.

384. JOHN JONES was indicted for stealing, on the 2nd of January, 3 yards of kerseymere, value 15*s.*, the goods of John Joseph Summer Mackmin; to which he pleaded

GUILTY. Aged .—Confined Three Months.

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385. MARY CALLAN was indicted for burglariously breaking and entering the dwelling-house of Margaret Caton, on the 21st of December, at St. John the Evangelist, Westminster, with intent to steal, and stealing therein, 2 pairs of trowsers, value 1*l.*; 2 waistcoats, value 4*s.*; and 1 coat, value 5*s.*; the goods of Maurice Buckley.

MAURICE BUCKLEY. I lodge with my mother, Hannah Buckley, in Old Pye-street. Margaret Caton rents the whole house—she lives in it—I pay my rent to her—it is in the parish of St. John, Westminster—I lost this property on the night of the 21st of December—I had seen it safe at ten o'clock when I went to bed—it was in my bed-room—I have known the prisoner about the neighbourhood, but knew nothing against her—she had lived in the house about two months, but did not live there [illegible] time—my mother who slept in the same room awoke me [illegible] the

night and said, "There is a person in the room"—I found the prisoner in the room, and knowing her I let her go—the door was not locked but shut, and fastened with a latch—it was about one o'clock in the morning—I cannot say how she got into the house—I cannot say whether the street door was fastened or not—about ten minutes after she was gone I struck a light and missed the property, which I am certain was there when I went to bed—it has been found since.

HANNAH BUCKLEY. I am the mother of the last witness. I went to bed after my son—I latched the door, and put the sand-bag at the bottom—I did not go to sleep at all, and at one o'clock in the morning I heard something in my closet, which I thought was the cat—I turned round, and saw the prisoner coming out of the closet—she frightened me—I thought she was a ghost—I called my son, and when he got up he missed the property—I had gone to bed about eleven o'clock.

ROBERT SUTTLE. I am a policeman. I had information of this about one o'clock in the morning—I went to a house in St. Ann-street, from information, and found the prisoner lying on the bed there, apparently drunk—she had been drinking—I said to a woman in the room, "Where are the clothes this girl has just brought in?"—she said, "There they lay, by the side of her," and there I found this property, and took the prisoner into custody.

(*Property produced and sworn to.*)

Prisoner's Defence. I cannot tell how I got into the place—I had been drinking all day, and was in the habit of going to that place—I cannot tell how I got there—I found myself at the station-house in the morning.

MAURICE BUCKLEY *re-examined.* She appeared to have been drinking—when she lived in the house, she frequently came down into the room to my mother—I never had any thing to do with her—I never invited her to the house—I did not see the bundle when I let her out.

HANNAH BUCKLEY *re-examined.* I am sure I had latched the door—I had not looked into the cupboard before I went to bed—she might have been concealed there before I went to bed.

GUILTY† of stealing only. Aged 17.—Transported for Seven Years.

Before Mr. Baron Alderson.

386. GEORGE CLUTTERBUCK was charged, on the Coroner's inquisition, with the wilful murder of Thomas Hawe, and also indicted for the manslaughter of the said Thomas Hawe.

MR. STURGEON *conducted the Prosecution.*

THOMAS BURN. I am a coal-whipper, and live in Great George-street, Bethnal-green. I knew the deceased, Thomas Hawe—he was a coal-whipper—I had known him for about three weeks and a month—on Saturday evening, the 9th or 10th of December, I was in his company at the Queen's Head, at the corner of North-street, Mile-end-road—the prisoner was there, and a young woman named Jane Bubb—there was a dispute between the prisoner and the deceased about Jane Bubb—the prisoner told her to keep herself to herself, and not to be talking to other young men—she had come there with the prisoner, and she was talking to the deceased—the prisoner then said he would strike her if she did not keep herself to herself—the deceased said in his presence that he should not—that was all

that passed—they left there afterwards—on the next Tuesday I was at work with the deceased all day, and went to the Northampton Arms public-house in the evening, between eight and nine o'clock—the prisoner was in the tap-room when I got there—the deceased came there a little after ten o'clock—the prisoner had come about nine o'clock—I did not hear the prisoner say any thing in the tap-room—I did not see the other people come down to him afterwards—I was up stairs in the same house about ten o'clock—there were thirty or forty persons there, as near as I can guess—Jane Bubb was there and the deceased—the deceased went down stairs, and in about five minutes returned with Jane Bubb, and she went and sat by his side—they came up together—she sat down by the side of the prisoner, and kept laughing and sneering all the time at the prisoner—the deceased then sang a song, and in a few minutes after he got up to go, and Jane Bubb with him—the prisoner all the time appeared much agitated—all the while she was in the room, sneering and laughing at him, and when they got up to go away, he jumped off his seat, ran to the door, and went down stairs, and they followed him—I followed them, and when I got round the stairs I heard the deceased say, "Don't strike her"—I suppose he said so to the prisoner—the staircase goes round—as soon as I got round, the first thing I saw was the deceased either strike or push the prisoner, and he went back about a yard and a half against the partition—the deceased then followed him, and doubled his fist—they then struggled together with their hand round each other's neck—they had about one or two hits at each other, as I thought—I then stepped in between them, and said, "Drop it"—the deceased made answer, "He has got a knife"—I then laid hold of the prisoner's hand, and held it till a young man named Stiff came down and took a knife out of the prisoner's right hand—it was open—I did not see any blood on it—it had a black and white handle—it was a sharp-pointed knife—a common clasped knife, which men are in the habit of using—the deceased was taken to the hospital—I saw him again the next evening, alive—I saw him after he was dead, at the Coroner's Inquest—this is the knife—(*looking at it*)—that was the knife given to me by James Holland.

Cross-examined by Mr. Phillips. *Q.* You use such a knife as this yourself, do you not? *A.* Yes—there is nothing particular about it—the deceased either struck or pushed the prisoner and he fell back about a yard and a half against the partition.

Q. From the time that happened, until the deceased told you that the prisoner had a knife, had the prisoner time to put his hand into his pocket or take it out and open it? *A.* No.

Court. *Q.* Do you understand the question? *A.* Yes.

Mr. Phillips. *Q.* In the course of the scuffle between the two, did not the prisoner fall down, holding his hands out to try to prevent his falling? *A.* He held them down—he did fall against the partition—there was a gas light at the bar near where he fell—if he had put his hand into his pocket and pulled out the knife, I must have seen it—he did not do so.

Court. *Q.* Which was the most powerful man? *A.* The deceased was a much more powerful man than the prisoner, and I think he was the elder man—he seemed about twenty-three or twenty-four years of age—the prisoner appeared very angry up in the room, when the girl was sneering and laughing at him, and very much excited all the time they were in the room—he appeared so that he could hardly sit on his seat.

MR. PHILLIPS. *Q.* I believe the deceased was a married man? *A.* I have heard so since.

SAMUEL STIFF. I am a coal-porter, and live in North-street, Whitechapel-road. On Saturday night, the 12th of December last, I was at the Queen's Head—I saw the deceased, the prisoner, and Jane Bubb there—Jane Bubb was sitting between the two—the deceased got up and said, "There is a vagabond who says he will strike the girl because she spoke to me"—I saw the prisoner mutter to himself, but was too far off to know what he said—I saw no more of them that night—I saw them on the Tuesday evening afterwards at the Northampton Arms, up stairs in the singing room—I went up with some friends—when I had been there a short time the deceased came up with two friends—I heard him sing a song—I went down, and when I came up again I saw him sitting by the side of Jane Bubb, and she was laughing and jeering at the prisoner, who appeared greatly excited at their conduct—the deceased and Bubb got up with the intention of going down—the prisoner rushed down before them—I heard a noise and followed immediately—when I came down I saw the deceased and the witness Burn and the prisoner—the prisoner held a knife in his right hand—Burn was holding him by his right hand, and I took the knife out of his hand—the affray was all over when I got down.

Q. Can you tell us what the prisoner was doing up stairs when he was so much excited—was he eating or drinking? *A.* I did not observe him—I think there was a pint of beer before him—he was sitting at the table—I did not see any thing in his hand when he rushed out to go down stairs.

Cross-examined. *Q.* Did not the unfortunate prisoner appear almost beside himself with agitation and excitement? *A.* He appeared very much agitated—it is not a room where they take bread and cheese, and chops—they drink there—the prisoner's back was towards me in the room.

CATHERINE HAYES. I am servant at the Northampton Arms. I remember the Tuesday night in question—I saw the deceased that night, and the prisoner and Jane Bubb—they were up stairs—I saw the prisoner in the tap-room, and also up stairs—he did not come to the bar to me—he came to the house by himself, and Bubb came with the deceased—they did not dance together that evening, that was on Saturday—Todd and Clark were down in the tap-room, when the prisoner called me down into the tap-room—the prisoner had said to me, that Tuesday afternoon, that if Bubb came there that night, he would give her a good *hiding*—that was before she came with the deceased—I never heard him threaten to give her a good *hiding* before that—I remember their dancing together at our place on the Saturday before—he had been complaining of her then—after they came on this Tuesday evening, the prisoner came and called me down stairs into the tap-room, and gave me a knife, a pocket-book, half a brace, and another book besides—he told me to take care of them till the morning—I told him I would take care of them, and told him not to go up stairs any more—I left him in the tap-room with Clark and Todd—after putting his things away I went up stairs for his beer, and brought it down stairs—he afterwards came up stairs again, and brought his beer back, and soon after he went up, the deceased and Bubb got up to come down stairs—when the prisoner saw it he rushed out, and came down before them—he got before the girl in the passage, and asked her where she was going to, and he struck her—the deceased saw it, and returned back from the bar, and struck the prisoner—they were then in the passage—he appeared a more powerful man than the prisoner, and they

struggled—he appeared to me to strike him hard—I do not know whether he went backwards in consequence of the blow, but they struggled together, and the deceased fell—I cannot say how long they struggled together—it was not very long—I saw the deceased strike the prisoner once, but not after the first blow—when the deceased fell, I picked him up, brought his hat to the bar, and told the girl to go out—the deceased ran to the prisoner again, and they struggled again—the prisoner was standing by when I picked up the deceased—I stooped down to hold him up—I left the deceased's hat at the bar—I do not know what happened after they struggled the second time, for I picked up the deceased's hat, and told Bubb to go out, and as I returned from the bar I saw several young men trying to get the knife from the prisoner—it was in his hand—there were a good many other persons in the passage besides me—a good many were coming down the stairs, and when they heard the scuffling they all ran down.

Court. *Q.* Was there a confusion in the passage when the struggle took place? *A.* Yes, there was a gas-light before the bar, not far from where the struggle took place—it was as far as I am from your lordship—(*about six yards*)—I cannot say how wide the passage is—it is not very wide—it is not so wide as the jury-box—it is wider than one division of it—I cannot say how wide it is—the girl and I and the two men struggling were in the passage—the rest were coming down stairs—Burn was in the passage during the struggle—I kept the knife which the prisoner had given me, and gave it to my master—the prisoner never had that knife again.

Cross-examined. *Q.* Is this the knife he gave you? (*producing one.*) *A.* I believe it is—I put it into the kitchen-drawer, and master had it—I cannot swear it is the knife—the prisoner did not attempt to strike the deceased at all while he was on the ground—after I picked him up the prisoner was standing still, and the deceased made a rush at him again—I did not observe any hurt on the deceased when I picked him up—he complained of nothing the first time.

Q. Do they smoke cigars in the room up stairs? *A.* They do—I do not remember the prisoner having any cigars—I do not know whether they sometimes cut a bit off the top of a cigar to light it—I did not observe the prisoner put his hand into his pocket at all in the passage.

Court. *Q.* He might have done it without your seeing it? *A.* Yes, he might.

Mr. Phillips. *Q.* Do you know whether the deceased was a married man? *A.* I do not.

Martha Hambleton. I am the landlady of the Northampton Arms. I remember the Tuesday evening this occurred—I saw the prisoner, just before the scuffle took place in the passage, go out of the house—he was gone about five minutes—when he came back, as he was going up the stairs, I called him down again—he appeared very much agitated, and looked very pale, and I thought he was crying—I told him I hoped he would not go up stairs to cause any disturbance—he assured me he would not, but that he would have a b—— good *row* that night—he promised me he would not cause any disturbance in the house, because, if he did, I said, I would have him put out, and the girl too—he said he hoped I would, for she had been the ruin of him—he then went up stairs, and a little time after I heard a scuffle in the passage—I then saw the prisoner and the de-

ceased struggling with each other in the passage—I did not see the blow struck—I thought they were fighting, and immediately ordered the man to put the prisoner out of doors—I did not see any thing material—my man put him out of doors, and he came in again—this was after the transaction was over, but I did not then know the young man was stabbed—I sent for a doctor.

COURT. *Q.* How old is the prisoner? *A.* I do not know his age, nor what trade he is—he had been to the house with the young woman, but I had not seen them dancing together—there is dancing up stairs on a Saturday night at our house.

Q. Who is Bubb, is she a woman of bad or good character? *A.* I cannot speak of my own knowledge—I never saw nor heard of her before.

WILLIAM CLARK. I am a carpenter, and live at No. 1, Darling-row. Last Tuesday night three weeks, the 12th of December, I was at the Northampton-arms—I saw the prisoner there—he came into the tap-room and said, God strike him dead, or God strike him b—— dead if he did not have his revenge that night—he put his hand into his pocket and pulled out a pocket-book, and a pocket handkerchief—he gave the pocket-book to Kitty Hayes, the servant girl, and the handkerchief he put back again into his pocket—he also pulled out something else, which I did not see—he said, "I won't give you that, and if the b—— hits me, I will run it into him"—I then walked out of the tap-room, and was going up stairs—he followed me out into the passage and went into the back yard—I went up stairs—he came up directly afterwards, and sat by the side of me—a young man got up and sang a song, and directly the song was over, the deceased and Jane Bubb got up to go out—the prisoner went out first, and the deceased and Jane Bubb went afterwards—they were down stairs two or three minutes, and I heard a scuffle, but I did not go down till it was all over—I saw nothing more.

Cross-examined. *Q.* Did I understand you rightly, that he took out the pocket-book from his coat pocket and gave it to Kitty? *A.* Yes—he pulled the handkerchief out with the pocket-book, but put the handkerchief back again—he then appeared to me to pull something else out of his pocket, but I did not see it—that was after giving the pocket-book to Hayes—the expression he made use of was, "I won't give you that, and if the b—— hits me, I will run it into him"—I have given all the expressions he used.

Q. Have you ever had any quarrel with the prisoner? *A.* Yes, I had about four years ago, and fought him—we fought two rounds—Todd was present at the conversation I have stated.

JOHN TODD. I am a labourer, and live in Forster-street. I was present when the prisoner gave the pocket-book to Catherine Hayes—he came down stairs and seemed very much agitated, and gave Kitty the pocket-book and a knife—he made believe to take something else out of his left-hand coat pocket—Kitty took the knife and pocket-book, and went into the kitchen—when he made believe to take something from his left-hand coat pocket, he said, "This I will keep, and if the b—— touches me I will put it into him"—as he left the room he said, "God strike me dead," or "b—— dead, I will put the knife into him"—that was as he left the room after he had delivered the pocket-book—he said, God strike him dead, or b—— dead, he would put the knife into him, if he touched him, and rip his bowels out.

Cross-examined. Q. Where was Clark when he made use of the observation that he would rip his bowels out? *A.* Standing alongside the fire-place—he made use of the expression loudly, so that I heard him plainly—I was standing alongside of Clark at the time the prisoner said it—it was as he was going out he said it—that was the last I heard—Clark went out, and I went home—he was going out of the room with Clark when he said he would rip his bowels out.

Court. Q. Did you ever say any thing about what he said going out of the room before to-day? *A.* Yes, at Lambeth-street, before the Magistrate, and I stated it before the Coroner—he said he would put his knife into him, and let his bowels out if he touched him.

Q. It does not appear to have been taken down—how came it to be omitted in your deposition? *A.* I do not know.

Mr. Phillips. Q. Have you ever had any quarrel with the prisoner? *A.* No, never—nor any dispute with him, lately—I had a little bit of a quarrel with him once, but we made it up, and have been good friends since that—I cannot say how long that is ago—it was a long time before this transaction, but I cannot say how long—it was about his striking this same girl, Jane Bubb—it is a long time ago, and we have been good friends since—I found him striking her, and I told him not to do it—we have made it up a long time, and been friends—we had two or three blows about it.

Q. Who had the best of it? *A.* I cannot say that either of us got much the worse from it—I am nineteen years old—I should say, to the best of my recollection, it was six or seven months ago that we had the quarrel—I do not know how old the prisoner is—he is a labourer, I believe—I believe Bubb is a slop-maker—she is a young woman.

Thomas Blizard Curling. I am a surgeon of the London Hospital. About eleven o'clock on the night of the 12th of December I remember a man being brought in—he had a wound on the right side of the belly, about an inch and three quarters in extent—it was a serious wound—the bowels were protruding, and the patient bleeding—he died of that wound—it might have been made by the knife produced.

Benjamin Cordell. I am a policeman. I was on duty near the Northampton Arms, on the 12th of December, and was called in—I took the prisoner into custody outside the house—I then went inside to solicit somebody to go as a witness with me, and when I went into the house the parties there came round, two or three, saying one thing or another—I said, "Who will go with me to the station-house, who saw what took place?"—the prisoner expressed a desire to go and see the deceased—I took him into the tap-room—he stooped over some of their heads, and looked at him—I walked with him to the front of the bar, and he put his arm down on his head and staid there for a while—I said, "Cheer up, perhaps it may be better than you expect"—I took him out, and in going along the road, he said, "How do you think it will go with me?"—I said, "I am sure I can't say, but by all the appearance of the man it seems to me he won't live to reach the hospital"—he said, "Well, I might have done it, as I had been eating a bit of bread and cheese just before with my knife in my hand"—and directly afterwards he said, "I wish you would lend me a knife, as I wish, if I can get an opportunity, to put an end to my own existence"—he said, directly afterwards, that he had been treated very ill by the girl, who had been walking up and down the room, laughing and making

ridicule of him—that she had been the instigation of turning him out of his employment on the Monday before—and he said in the scuffle that he was struck first by the deceased.

GUILTY of Manslaughter only. Aged 19.—Transported for Life.

Fourth Jury, before Mr. Recorder.

387. JOHN CUFF was indicted for stealing, on the 2nd of July, at St. James's, Westminster, 2 cream-ewers, value 10*l.*; 2 pepper-castors, value 5*l.*; 1 sugar-basket, value 1*l.*; 30 forks, value 36*l.*; 1 wine-strainer, value 3*l.*; 2 watches, value 28*l.*; 2 tea-pots, value 31*l.*; 4 labels, value 2*l.*; 1 sugar-basin, value 4*l.*; 1 cup, value 6*l.*; 2 waiters, value 12*l.*; 1 watch-chain, value 2*l.*; 1 inkstand, value 5*l.*; 4 ladles, value 3*l.*; 32 spoons, value 38*l.*; 2 coffee-pots, value 13*l.*; 1 ring, value 3*l.*; 2 salt-cellars, value 4*l.*; 1 fish-knife, value 4*l.*; 1 pair of snuffers, value 4*l.*; and 1 tray, value 3*l.* 10*s.*; the goods of Kensington Lewis, his master, in his dwelling-house.

Mr. CLARKSON *conducted the Prosecution.*

KENSINGTON LEWIS. I am a goldsmith and silversmith, and live at No. 22, St. James's-street. In June last the prisoner was a shopman in my service—he had been so for several years—before he came into my service he had been a respectable tradesman in the same business, as I understand, in Regent-street, but I do not know—in June last I had occasion to inquire of him for a small portion of plate which had been given him to put away—he left me, and I understood him to say he was going for it, but I never saw him again that day—he absconded—he returned again after a day or two—(in the meantime somebody representing himself as a friend of his called on me—in a day or two after the prisoner came himself,) and said that he had pledged my property in consequence of some bills he had accepted—he told me his wife had been confined two or three days, and he was going on his knees, but I prevented that—he said, "For God Almighty's sake do not prosecute me now, or it will be the death of my wife and child; I will deliver myself up at any time"—he said he would give me a faithful account of every thing, and that it did not amount to more than 70*l.*—he said he would send me the account—I afterwards received this list (*looking at it*)—it is in his hand-writing—it is a list of articles to the amount of about 150*l.*—that is the amount they are pledged for—they are worth 300*l.* and more—it consists of the articles stated in the indictment—when I found the amount out I reproached him for telling me it was only 70*l.*, and was very angry with him—I said, "You told me it was only 70*l.*"—he said, "Oh, sir! that is all yours"—I said, "So much the worse;" the rest had been left in my care and custody by persons, and it would bring reproach and disgrace on me—he said, the 70*l.* worth were articles belonging to me, and the rest were articles trusted to me, and which were under his care—I did not authorise him to pawn any articles.

Cross-examined by MR. PHILLIPS. *Q.* How long had he been in your employ? *A.* I think about five years—I never heard of his becoming bail for any body—he told me when I discovered the robbery that he had made use of the property to prevent his losing his situation, because he was liable to be arrested—this letter is in my hand-writing (*looking at one*)—I wrote it at the prisoner's desire, as he represented his friends were rich—when I wrote it I believed it to be true, as it was his representation—I

did not say in the letter that he had stolen things, I said he had been security—he said he was foolish enough to become security for a friend, to remove him from a spunging-house, in consequence of which he fell into embarrassment—the object of the letter was, that his friend should advance some money to take him out of the difficulty he was placed in—he told me that the father of his friend who had involved him in the difficulty was a very old man, and that he was a man of considerable wealth—the prisoner stated so—I had not the slightest knowledge of it except what he told me—I wrote this letter, believing it to be true.

Q. I believe a few days before he went away he had nearly 300*l.* of yours in his hand? *A.* Not that I am aware of—he has had money of mine, but not large sums—my confidential clerk has large sums—the prisoner may occasionally have had large sums of mine, amounting to some hundreds, but that is not his department—his was in the petty cash, which does not exceed 20*l.* at a time—sometimes he had a great deal more cash than at others.

Q. I believe after the disclosure of these circumstances you kindly gave him time to get your property from the pawnbroker's? *A.* I never gave time; I retarded the prosecution, and during that time I know he was endeavouring, through his friends, to get money to redeem the property.

Court. *Q.* If he had found the means you would not have prosecuted him? *A.* No—I was out of the way on purpose, and it was with great pain I came forward.

George Odell Wharton. I live at No. 36, Mount-street. A silver cream-ewer was pawned with me by the prisoner on the 27th of February last year—I produce it—it is worth about 5*l.*—I advanced 4*l.* 5*s.* on it—I should not be able to get more than 5*l.* for it—it weighs about 10 or 12oz.—I have also two pepper-castors which were pawned on the 9th of March by the prisoner for 2*l.* 10*s.*; I have also a sugar-basket, pawned on the 17th of March by the prisoner for 2*l.* 10*s.*; and on the 25th of April, six table-forks, for four guineas—on the 23rd of May, a wine-strainer, for 30*s.*; and on the 3rd of June, a gold watch, for 4*l.* 10*s.*—all by the prisoner, and in the name of Smith.

Court. *Q.* I presume you never give more than the value to melt? *A.* Oh, they would not fetch the value I lent on them to melt.

Cross-examined. *Q.* You give more than they are worth? *A.* At times we do—the things were not sold to me, but pawned; and if the prisoner had paid the legal interest he could redeem them—he did redeem some articles—I asked him whose property they were, and he said they were his own—I have known him four or five years.

Robert Archbutt. I am a pawnbroker, and live at No. 109, Blackfriars-road. On the 10th of March, I took a silver inkstand in pledge from the prisoner, for 3*l.*—on the 17th, I received a silver coffee-pot in pawn, for 3*l.* 10*s.*, from the prisoner—it weighs 12 or 14 oz.—on the 14th of April, four sauce-ladles for 40*s.*; and on the 10th of May, six table-spoons—they were all pawned in the name of Smith.

Cross-examined. *Q.* How long had you known the prisoner? *A.* I dare say three years.

Court. *Q.* Do you not make inquiry when people bring plate? *A.* Yes; whether they are his own property—he has pawned and redeemed three or four articles again—he said they were his own property—he did us any articles.

WILLIAM MASLAND. On the 2nd of July, 1836, I received from the prisoner a fish-slice and two gravy-spoons, in pawn for 5*l.*—the time had expired nearly three months when the officer applied for them—the person pawning them could have redeemed them if he had made his application—we must either give an account of the sale, or produce the property—we should be entitled to sell them the day after the time is out—on the 3rd of April, 1837, the prisoner pawned a silver coffee-pot for 5*l.*—I did not take that in—I took a silver mug in—I have six table-spoons which were pawned on the 8th of April.

COURT. *Q.* Do you not ascertain whether a man keeps a shop when he pawns articles of this sort? *A.* On one occasion I did question him, for he frequently wanted more than we could really sell articles for—I said we could not do business on that principle, and he did not leave that article—he never came to my shop without redeeming articles, or paying the interest on them—some of these articles have had the full interest paid on them—I thought he was what is called a dealer—if I had known he was Mr. Lewis's servant, I would not have taken them at all.

Q. But do you not take some steps to inform yourself beyond a man's statement? *A.* I frequently follow persons, and, in fact, often turn pledges away, when the parties have turned out to be honest—a great many respectable tradesmen come to us, and would not like their feelings to be wounded by being questioned—the prisoner always conducted himself respectably, and never came to pawn articles without redeeming; and on one occasion, he brought a considerable sum of money to redeem articles without pledging any—I have six table-spoons pawned on the 12th of April; and I have a silver mug, and a pair of salts—I inquired of him whose property they were—he said his own—I only took one pledge in of him myself—that was pawned in the name of Smith, of George-street—on some of them are put "Westminster-road," and one of them "Hercules-buildings."

Cross-examined. *Q.* As you found so many different addresses, did you go to any one of them? *A.* I did not.

FREDERICK FOLKARD. My mother, Elizabeth Folkard, is a pawnbroker in the London-road. On the 2nd of March, 1837, I took in a silver tea-pot of the prisoner, for 10*l.*—it weighs 30oz.—on the 13th of April I took a cream-ewer, snuffers, and tray—he pawned them in the name of Smith, of West-square—I inquired whose property they were, and he said they were his own.

Cross-examined. *Q.* Did he pawn with you often? *A.* He redeemed the articles—we have had the tea-pot several times.

JOHN WILLIAM FIELD. I am in partnership with Abraham Edward Reynolds; we are pawnbrokers, and live in Stones'-end, Borough. I have some articles which my shopman, who has left, took in—six table-spoons and six table-forks, pawned for 10*l.*, in the name of Samuel Jones, No. 7, Denmark-hill, Camberwell.

Cross-examined. *Q.* Was the prisoner in the habit of pawning with you? *A.* He is not known at our house at all.

JOSEPH TURNER. I am a pawnbroker, and live in Crown-row, York-road. On the 4th of May, 1836, I took in pawn six table spoons and six forks from the prisoner for 9*l.*, in the name of Johnson, West-square—I asked whose property they were—he said they were his own.

Cross-examined. *Q.* Was he in the habit of pawning with you? *A.* I have served him before.

George Worley. I am a pawnbroker, I live at 155, High-street, Borough. On the 26th of July the prisoner pawned six dessert spoons for £3 6*s.*, in the name of Smith, Kent-road, and I think on the same day he took out articles pawned for 10*l.*—I have known him five years.

James Lockyer. I am shopman to Mr. Morrison, a pawnbroker, in Blackfriars-road. I produce twelve table-forks pawned on the 7th of December, 1836, for nine guineas, by the prisoner—that is more than they are really worth in the best market in London—it is almost 6*s.* an ounce—they would not fetch more than 5*s.* 6*d.* an ounce—I did not take them in, and cannot say who pawned them—they would not fetch that money in the best sale room in London—they weigh 32oz. 5dwt.—I have a tea-pot and bason pawned by the prisoner in the name of John Smith, Stamford-street—he had been a customer so long I did not inquire at every time he brought things who they belonged to—I have a cup and waiter which were pawned on the 7th of March for 7*l.* 5*s.*, and a French watch on the 25th of March for 4*l.*, by the prisoner, in the same name and address—I have also a waiter and gold chain which were pawned on the 1st of April, but those I understand Mr. Lewis cannot swear to.

Mr. Lewis *re-examined.* I have no doubt they are mine—at first it struck me they were not, but I have compared them with my stock, and from various reasons I have not a doubt of it.

Mr. Phillips *to* James Lockyer. *Q.* Had the prisoner been in the habit of pawning articles? *A.* Yes, and redeeming articles for the last three years—we understood him to be a dealer, from the questions I put to him—he said some were his and some his brother's, and they cost him so much—he would pawn one thing and take another out.

Henry Deacon. I am clerk to Mr. William Smith Henson, an attorney and accountant. On the 16th of September, last year, I received 30*l.* 16*s.* in money, and some duplicates, from a Mr. Shepherd—I gave the duplicates to the officer.

Cross-examined. *Q.* How much money? *A.* 30*l.* 16*s.*—it was to give the pawnbrokers a composition of 5*s.* in the pound, if they would give the property up—this was some short time after the prisoner had made the disclosure to the prosecutor—I went to the different pawnbrokers four or five times over to see if they would give the property up—I offered a composition to them of 5*s.* in the pound—they would not give up the things—some seemed inclined and others not, unless they consulted among themselves—they said they could not make out why it was offered—I never saw the prisoner, but I knew of this transaction—there is an action now pending about the 30*l.*

Q. What did you do with it? *A.* I think I am not obliged to answer the question, there being an action—I have not returned it to Mr. Shepherd—he has demanded it of me several times—I never threatened to indict Mr. Shepherd, and a variety of other persons, for attempting to compound a felony, not to my knowledge, but there are so many transactions—I have copies of all the letters—I did not threaten to involve Mr. Shepherd with others in a prosecution, for trying to compound a felony, to my knowledge—I do not recollect it—I think I could not have done it—this is the account I sent in—it is not a bill of costs—I have a copy of it—it is for 12*l.*

Mr. Clarkson. *Q.* You have been asked about actions and indict-

ments, has Mr. Lewis had any thing to do with your proceedings? *A.* I never saw Mr. Lewis but once, and I can tell you the day that was.

HENRY GODDARD. I am an officer of Bow-street. About half-past six o'clock, on Friday, the 15th of December, I took the prisoner into custody, in Vine Cottage, Vine-street, Waterloo-road—I produced to him this list of the articles on the way to the office, and asked if it was his handwriting—he said, "Yes"—I said, "Is this the list you sent to Mr. Lewis?" —he said it was, and that it was an account of property which he had pawned at different pawnbrokers, and that he had taken them from Mr. Lewis.

Cross-examined. *Q.* You found him at his own place of residence? *A.* Yes—with his wife and family—his wife was very ill at the time—there were three children.

MR. LEWIS *re-examined.* All the property produced by the witnesses is mine.

(MR. PHILLIPS, *on the prisoner's behalf, stated that he was embarrassed in consequence of becoming security for a friend, and had pledged the property, expecting to be able to redeem it on the death of his friend's father, who was in affluent circumstances, and upwards of eighty years of age. He received an excellent character.*)

GUILTY of stealing only. Aged 50.

Strongly recommended to mercy by the Prosecutor and Jury.

Confined One Year.

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388. JOHN PERKINS, *alias* THOMPSON, was indicted for stealing, on the 16th of December, 1 horse-cloth, value 12*s.*, the goods of Francis Le Miere.

THOMAS WALLER. I am in the service of Francis Le Miere, an egg merchant, at Cow-cross. I missed a cloth from the back of the horse in a cart of his, on the 16th of December—it was not secured at all—it could not fall off—it was put over the horse's loins—the horse stood before the door in a cart—I found it still standing there when I came out, but the cloth was gone.

Prisoner. *Q.* What colour was the horse-cloth? *A.* Red, and a black stripe—it was a chestnut horse.

EDWARD CORMACK. I lodge at No. 5, Rose-alley, Bishopsgate-street. I saw the prisoner with two other persons in Cow-cross, on a Saturday—I do not know what month—it was in the winter time, about a month ago —I saw the prisoner and another lay hold of the cloth, and give it to another, who walked away with it—it was a brown cloth—the horse stood right opposite the shop in a cart—it was a chestnut horse—I saw the prisoner help the other to take it off, and give it to a third person—I gave information at the shop.

Prisoner. *Q.* Do you know the meaning of an oath?

COURT. *Q.* Do you know what is required of you when you are sworn to tell the truth? have you ever been to church? *A.* No, I go to chapel —I have never learnt my catechism.

Q. Do you know if you tell lies you will be punished hereafter? *A.* No—I have been charged with robbing my father and mother—I sold what I got—I have not been done any thing to for it, yet—I have often given information to the police—it has not often turned out to be false—it has sometimes.

NOT GUILTY.

389. MARY MILLER was indicted for stealing, on the 6th of December, at St. Pancras, 1 cloak, value 6*l.*, the goods of Thomas Theodore Campbell, the younger: 1 work-box, value 12*s.*; 1 seal, value 10*s.*; 2 thimbles, value 3*s.*; 2 pairs of scissors, value 7*s.*; 2 penknives, value 5*s.*; 1 bodkin-case, value 2*s.*; and 1 tooth-pick, value 2*s.*; the goods of Ann Laura Campbell; in the dwelling-house of Thomas Theodore Campbell.

MR. DOANE *conducted the Prosecution.*

HANNAH BUTLER. I am a servant in the employ of Mr. Campbell, of No. 15, Burton Crescent. On the 6th of December, I remember the prisoner coming to my master's house—she said she came after the cook's situation—Miss Campbell saw her, and after some time she left the house—shortly after, Miss Campbell left the house also—the prisoner returned a few minutes after, and said she had met Miss Campbell, who wished her to return and wait till she came in—I allowed her to remain in the hall, and I went down stairs—shortly after I came up stairs and the prisoner was gone—I looked into the parlour, where I had observed Miss Campbell's work-box shortly before, and missed it—when mistress came home I told her what had happened, and a cloak was also missed belonging to Mr. Campbell.

HANNAH LAURA CAMPBELL. I remember the prisoner coming to inquire after the cook's place, on the 6th of December—I left the house a very few minutes after she left it—I had a work-box on the dining table, not in the room I saw her in—I did not meet her after I went out—I never told her to go back and wait for me—when I returned, my work-box was gone, and I missed a cloak belonging to my brother—his name is Thomas Theodore—this is my work-box—it contained a bodkin, two penknives, two pairs of scissors, two thimbles, a mother-of-pearl bodkin-case, a tooth-pick, a seal, and Russian pebble—the box and contents together are worth two or three guineas.

THOMAS THEODORE CAMPBELL, JUN. The house in question belongs to my father, Thomas Theodore Campbell, and is in the parish of St. Pancras I—had a cloak in the house on the morning of the 6th of December, worth six guineas—it has been worn two months—this is it—I believe the work-box cost 14*s.*, without the bodkins and things, which I suppose is worth 2*l.*—all the fittings together.

WILLIAM HIGHWAY (*police-constable N* 232.) On the 22nd of December I took the prisoner into custody—I did not search her—I received the duplicates of the articles from Mr. Ramshaw, a publican—I went to her lodging, but the duplicates were found before I went there.

ROBERT RAMSHAW. I am a publican, and live in Lower-road, Islington. I was at the police-office when the prisoner was brought there (by accident,) and knowing where she lodged I gave information, and went to her lodging—the landlord of the house is a friend of mine—it is No. 5, James-street, Lower-road, Islington—I knew she lodged there, but did not know which was her room—I found a box in the house, which was opened in her presence—I found in it twenty-nine duplicates, a penknife, and a needle-case.

CHARLES TIJON. I am shopman to Mr. Drew, a pawnbroker at Islington. On the 6th of December the prisoner came to our shop and pawned a work-box—the duplicate I gave her is among those produced.

CHARLES JAMES MERCER. I am shopman to Mr. Burgess, a pawn-

broker at King's-cross. On the 6th of December, about a quarter to two o'clock, this cloak was pawned—I believe the prisoner to be the person—the duplicate I gave for it has not been found.

MISS CAMPBELL *re-examined.* This penknife and needle-case are mine, and were in the work-box.

HANNAH BUTLER *re-examined.* Nobody else came into the house before the work-box and cloak were missed.

GUILTY of stealing under the value of £5. Aged 23.—
Transported for Seven Years.

(There were two other indictments against the prisoner.)

NEW COURT.—*Thursday, January 4th,* 1838.

Fifth Jury, before Mr. Common Sergeant.

390. JOHN GUNN was indicted for stealing, on the 27th of December, 9lbs. weight of flour, value 1*s.* 9*d.*, the goods of Charles Morgan Green, his master.

CHARLES MORGAN GREEN. I am a baker, and live in Fetter-lane. The prisoner was in my employ—on the 27th of December, (yesterday week,) I had marked three bags with my name at the bottom, in the afternoon, while he was gone home—they were quite empty—I put them into the same place where I found them, which was in his flannel-jacket pocket, while he went home at dinner-time—he had lived with my father three years and five months; and with me, since Michaelmas-day—when he came in at half-past five or twenty minutes to six o'clock, I told him to go down and do his business as usual—he accordingly went back—at twenty minutes past six o'clock he came through the shop, and went out into the street—I kept my eye on him till he got sixteen or twenty yards—I then called him back—I had the officer in waiting across the road—he came over, and I said, "Take him into the room, and search him"—he found three half-quartern bags of flour; and round his neck there was a handkerchief which had some more flour in it; and in his pocket, six biscuits—that was my flour, it had been taken from the bin; and more than that, I had greased the scoop, and the flour stuck to it—here is the flour, and here are the bags.

Cross-examined by MR. PHILLIPS. *Q.* Are your father and you in partnership? *A.* No; nor ever have been—I took the concern into my own hands on Michaelmas-day last—my father has sufficient to live upon—I allow him to buy and sell for me—he asks my opinion, as I am there—it was my father that was fined 50*l.*, and he was tried in this Court—he was two hundred miles from home at the time the matter happened—the prisoner and his son were in our employ—we have now the foreman and two hands—the son has been working there the last two or three days, since the father has been confined—the men are allowed a quartern of flour a week, and three quartern loaves each—I did not pay the prisoner his wages when I took him up—I know nothing of having got a receipt from him—I know of no book being signed by the prisoner or his son in discharge of the wages—I owed him nothing of the kind—I owe him two weeks and a half—one week was 25*s.*, and the other 26*s.*, and the half-week 12*s.* 6*d.*; that is 63*s.* 6*d.*—I have a brother—he has not been

in London for two years, he is at Bishop Stortford—I know of no one going from our family to the gaol to the prisoner—I have got no book signed by the prisoner or his son in discharge of his wages, that I am aware of—no book that I have got has any thing of the kind—I offered to pay his wages to his eldest son—his son has not signed any book that I am aware of—I know nothing about it—I pay the wages every week or fortnight—his son has taken ten guineas at a time for wages, as he has let them run on—I thought they were going to do the same now—they have them when they ask for them—I did not go to the prisoner's wife since he has been in custody, nor send any body—I do not know of any body going—I do not believe any body went; if they did, I never sent them—I never heard of getting 10*l*., and keeping it for a day or two—the prisoner's son's name is John Green—I remember the morning of the prisoner's examination—I did not see the prisoner's son that morning—I left him at work when I went—he has been subpœnaed here to-day—he told me so himself; and at eight o'clock he was having his breakfast to come—he told me that, and I said, "Very well, go"—he is not here, apparently—I know no reason for it—I told him to come—my father breakfasted in the house at ten minutes before eight o'clock this morning—he saw him too—I never gave any body authority to settle this business—I know a gentleman of the name of Stevens, a baker—I do not know his Christian name—I never saw him on this subject, nor uttered a word to him—that I swear—I never sent to the prisoner's house since he has been in custody—he lives on Saffron-hill—I cannot tell the number—it is the second door through the posts—the night the prisoner was taken into custody, I fetched the wife to my house, that she might see the property found on the husband—I had found it long before—I fetched her to see the property I had found—he fell down and laid on the bottom of the room, in a fit—I got him water, and did what I could—I did not seek to get money by this.

George Fletcher. I am an officer of St. Andrew, Holborn. I was desired by the prosecutor's father, on this occasion, to watch the prisoner coming out, as he suspected he would have some flour—I stationed myself opposite the house, and saw him come out about twenty minutes after six o'clock—I saw the prosecutor call him back, and I followed him, took him into the parlour, and searched him—I found a bag containing flour on each side of him—I said to him, "You have been carrying on a strange game, I am afraid"—he did not say any thing—I searched him, and found one bag of flour on each side of his bosom, under the braces, between the shirt—one paper bag in his left-hand coat-pocket, and 4lbs. of flour tied up in a handkerchief in his hat—all this time he was in a fit—Mr. Green sent for his wife, and after an hour, I think, she arrived—he was lying on the floor during the whole of the time—I took him into custody.

Cross-examined by Mr. Clarkson. *Q.* When were you examined before the Magistrate? *A.* I never was asked a question on either day—I made no deposition—I made a deposition before the Magistrate, which I signed—I do not know what you are alluding to—I have been an officer twelve months—I never made one deposition—I was not examined here yesterday—I was examined as a witness at Guildhall, on a charge of assault, then calling myself a night constable, and said I had made no deposition—the Recorder produced my depositions, signed.

Court. *Q.* Do you know the meaning of the word deposition? *A.* I did not, but I do now.

MR. CLARKSON. *Q.* Did you, on this occasion, tell the truth? *A.* I was not asked—I was called by the side of Mr. Baker, and he filled up the *indictment*—that was the only time I was asked a question—the questions were put at Guildhall—the statement I made was before the Alderman—that was the result of questions put to me—I never said a syllable about finding any thing on the prisoner, or he being in a fit—I did not repeat before the Alderman a single word about any conversation—I know the prosecutor's father—I was present at a conversation between the prisoner's wife and the elder Mr. Green the night I had the prisoner in custody—it was in the parlour—the prisoner was lying on the floor—Mr. Green, sen., was the one who first employed me, and seemed to take the active part—the wife did not say that there were wages due to her husband and son amounting to 5*l.* 10*s.* 6*d.*—there was a book produced by the elder Mr. Green, pointing out how many things had been taken, and that he did not wish to prosecute him if he would make him compensation—young Mr. Green was in the shop, and sometimes in the parlour, while this was going on.

Q. Did not the elder Mr. Green say that the wages due to the father and son were not enough for him to settle it with? *A.* I remember something of that.

NOT GUILTY.

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391. THOMAS GREGORY was indicted for stealing, on the 18th of December, 10 shawls, value 17*l.* 8*s.*; 9 cloaks, value 18*l.*; and 1 scarf, value 3*l.*; the goods of George Evans, his master.

WILLIAM BEMAND. I am in the employ of George Evans, a linen-draper and mercer, at No. 150, Tottenham-court-road. The prisoner was in his service as porter—I have missed a quantity of property—on the 18th of December I missed two shawls—from circumstances, I was directed to follow the prisoner from the shop—I followed him to Camden-town—on his return, when he came to Mornington-crescent, I saw he was walking with another man—he took something from a bag, and gave him, what it was I cannot say—they went on, and then separated—the prisoner went on to Wells, the pawnbroker—I went, and saw him leaning against the counter—I sent a boy in to see what he had got—he said, "A shawl"—I took a policeman, and found one shawl in a bag, and one on the counter—I asked the prisoner what he had got—he said, "Nothing," and then I found these things.

Cross-examined by MR. DOANE. *Q.* You followed him from your master's shop? *A.* Yes—I left at the same time—he had this bag when he left—it was about eleven o'clock in the morning—he was sent out to deliver parcels—he had other parcels packed up and addressed—there might be two or three—they were delivered at the regular houses where they were addressed — the shawls were wrapped up, and a paper round them—I know them by the pattern — the tickets were taken off the shawls in Mornington-crescent, and the tickets were taken from the man Frankham, who was walking with him—shawls might be sold with the tickets on, but all parcels are entered before they are sent.

WILLIAM WILSON (*police-constable S* 35.) I took the prisoner at Mr. Wells's shop—I went to No. 1, Baldwin-street, Old-street-road, St. Luke's, and there I found some other things—the man Frankham took me

there—I found there one cloak—I said nothing to the prisoner about the house.

JOHN STARLING. I am in the employ of Mr. Wells, the pawnbroker. One of these shawls was offered to be pledged at our shop by the prisoner.

THOMAS ROBINSON. I am a pawnbroker, in Charlton-street. I produce a cloak pledged on the 28th of November—I believe by the prisoner.

WILLIAM BEMAND *re-examined*. This is Mr. Evans's—it is lined with a very particular sort of silk.

MR. DOANE. *Q*. Are there others lined in the same way? *A*. I should say not with the same sort of silk—this is generally used at funerals, but it is very uncommon to line cloaks with such.

CHARLES BARNETT. I live with Mr. Cassel, High-street, Camden-town. I have two shawls pledged, one on the 15th of November, and one on the 22nd of November—both by females—a person, since I have been bound over, has produced the duplicate of this one shawl, and is now in Court, to say it is her property.

WILLIAM BEMAND *re-examined*. We had some shawls of this pattern, but the tickets have been taken off—I cannot swear to these.

ARTHUR JOHN NORTH. I live with Mr. Blackmore, a pawnbroker. I produce a cloak and shawl pledged by the prisoner, in the name of James Page, of University-street—he came again, and pledged a silk scarf and shawl, which I have here.

THOMAS SHEPHARD. I am a pawnbroker. I produce a cloak, pawned by the prisoner, in the name of James Page, and another cloak, pawned by the prisoner, on the 27th of November—he said he lived at No. 4, Seymour-street.

WILLIAM BEMAND *re-examined*. This cloak is lined with the same silk as the other, and this is all my master's property.

JOHN MILTON. I have three whittles, pledged at Mr. Chapman's, No. 30, London-street—I do not know by whom.

GEORGE WHITE. I am in the shawl department at Mr. Evans's. I found these at Mr. Chapman's, one of which has our shop-mark on it.

(James Howard, of Baldwin-street, Old-street, gave the prisoner a good character.)

GUILTY. Aged .—Transported for Seven Years.

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392. JOSEPH PIZEY and JAMES PIZEY were indicted for stealing, on the 28th of December, 8lbs. weight of beef, value 4*s*., the goods of James Carn; to which

JAMES PIZEY pleaded GUILTY. Aged 9.

JAMES CARN. I keep a butcher's shop in Kingsgate-street, Holborn. I missed this piece of beef on the 28th of December—I saw the prisoner Joseph in Fisher-street, running as hard as he could, and James Pizey running—I laid hold of Joseph, and brought him back to the shop, and James was brought in by another person, with the beef—Joseph said he knew nothing of it.

WILLIAM PHILLIPS. I live in King-street. About eleven o'clock in the morning I was near Mr. Carn's shop, and saw the two prisoners together talking, as I thought—I saw James take the beef—the butcher was com-

ing out—I told him—James went down Kingsgate-street — I followed him, and took him with the beef—Joseph went down Fisher-street.

Joseph Pizey. I was not in company with the other boy, and did not speak to him—I was not in Kingsgate-street that day, till I was taken there by the butchers—I made no attempt to get away. *Witness.* They were together, and both started together—they were as close as possible when the beef was taken.

JOSEPH PIZEY*—GUILTY. Aged 20.

Both Transported for Seven Years.

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393. GEORGE WARD was indicted for stealing, on the 27th of December, 1 pewter pot, value 1*s.* 6*d.*, the goods of James Pearson.

JAMES PEARSON. I keep the Portland Arms, Portland-street, Marylebone. I was at dinner on the 27th of December, and received information that two men were seen to take pots from the door—I and my pot-boy went out, and fell in with the prisoner—I took him—he was taken to the office, but I did not go with him—this pot was found on him at the office—it had been on the railing at my door.

Prisoner. I did not take the pot—I found it inside a bag that a man had dropped.

JOHN WEAVER (*police-constable E* 143.) I found this pot in the end of a sack under the prisoner's arm.

Prisoner. It fell from a man running away, and I was going to the public-house to take it back. *Witness.* No, he was going away.

Prisoner. The pot-boy came and stopped me first—I said I was going back to the house, and in going back he gave me to the policeman.

JAMES PEARSON *re-examined.* He said he had no pot at all, and that the man who was with him stole the pot.

GUILTY. Aged 23.—Confined Three Months.

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394. CHRISTOPHER HOLMES was indicted for stealing, on the 23rd of December, 1 coat, value 20*s.*, the goods of Henry Newberry.

HENRY NEWBERRY. I live at No. 34, Queen-street, Edgeware-road, and am in the employ of a stable-keeper. The prisoner was a helper—on the Friday night I hung my coat in the stable, and missed it on the 23rd—the prisoner went away on Saturday, and did not come for his wages on Saturday night.

JOHN DASHWOOD. I keep a shop—Hampton came to my shop with a great coat, and asked me 11*s.* for it—I asked who it belonged to—he said his master—I said if that was true I would buy it—he consented for me to go to his master, but I could not go—my father went with him, and they met the prisoner—they then came back, and the officer was sent for and took them.

THOMAS HAMPTON. I am a printer by trade. I was walking down Lombard-street last Saturday week, and met the prisoner—he said, "I have got a coat to sell, will you come with me?"—I said, "Yes"—as we were going along Fleet-street, he asked me to sell it for him, and he would give me 1*s.*—I said I did not mind, if it was all right—he said, "It is all right, a man gave it to me who works at Everingham's livery stable"—I went to offer it, and then the prisoner was taken.

Prisoner. On Saturday at dinner time I was coming away from the stable, and at the corner of Everingham's livery stable I met a man who asked me to sell the coat, and he would give me 1*s*.—I was to meet him at Everingham's—about an hour after I was up stairs, having my dinner, I saw and called you and then I gave you the coat to sell—you said you could sell it in Holywell-street. *Witness*. You asked me to sell it.

GUILTY. Aged 19.—Confined Three Months.

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395. WILLIAM FRANKLIN was indicted for stealing, on the 28th of December, 2 handkerchiefs, value 3*s*., the goods of Thomas Denton, from his person; and that he had been before convicted of felony.

THOMAS DENTON. I am a private in the 2nd Battalion of the Coldstream Guards. On the 28th of December I met the prisoner in the street, and asked him my way—I had two handkerchiefs, and I put them into my pocket—we went on to Albany-street—he there bid me good night—he then put his hand into my pocket and took the handkerchiefs from me—I got the silk one from him—he got from me and ran—I called to the policeman to stop him—I ran and caught him by the hand—these are my two handkerchiefs—(*looking at them*.)

Prisoner. I am a watch-case maker by trade—where did I take them from you? *Witness*. In Albany-street—I did not charge you with stealing both, because I had got one in my hand when I told the Magistrate of it, and he put them both down.

JACOB HOWELL (*police-constable S* 46.) I came up, the soldier had hold of the prisoner, and charged him with stealing the handkerchiefs out of his pocket—he had got one handkerchief in his hand—the prisoner did not say any thing till he got to the station, and then he called the prosecutor a false man.

Prisoner. Last Thursday night, I was going to Paddington, and heard a disturbance on the opposite side—I saw this soldier stripped and fighting—he said he would fight the best man on the ground—there was another soldier tried to persuade him to go home—he then went away, and this man got his clothes on by the persuasion of the policeman—he asked me the nearest way to the barracks—he was intoxicated.

THOMAS DENTON *re-examined*. I was going to fight a person who called me a b—— lobster—I was sober.

Prisoner. The officer had to hold him at the station that he should not knock the things over—he stood against the railing, and I was wishing him good night, and he took the two handkerchiefs out and dropped one of them—I took it up and gave it him. *Witness*. No, he did not, he took it.

Prisoner. He wanted me to go and have something to drink—I said I would not, and then he made a kick at me, and I said I would call the policeman—he said, "B—— the policeman, dead or alive"—then he called the policeman himself, and the policeman had to hold him up—the next morning he was put on his oath, and he swore it was half-past twelve o'clock, and the policeman said it was half-past ten o'clock—then the Magistrate said, "Which pocket was it in?"—he said, "This," and he took out another handkerchief—then the Magistrate said, "Did he take two?"—he said, "Yes"—then says he, "You must give the other the other"—if I had wanted to have robbed him, I could have taken [illegible] they.

JAMES HOWELL *re-examined.* The soldier had been drinking, but was not drunk.

RICHARD BRADSHAW (*police-constable D* 102.) I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the man.

GUILTY. Aged 19.—Transported for Ten Years.

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396. JOHN COMPTON and JOHN PHILLIPS were indicted for stealing, on the 27th of December, 7 half-crowns, 8 shillings, 21 sixpences, 6 fourpenny-pieces, and 1 halfpenny; the monies of James Weston.

JAMES WESTON. I am landlord of the White Swan, Little St. Andrew-street, Seven-dials. On Tuesday, the 27th of December, the two prisoners were in my tap-room—I could not get them out—I called for a policeman, but he dared not come in, he said, except for robbery or murder—they were too much for me—I could not get them out—I tried to get them out, and they threw my table against me, as if they were going to murder me—I called the policeman at ten o'clock at night—I sat down till four o'clock in the morning, and fell asleep—I then awoke, and saw Compton at my till—Phillips was on the other side—Compton had some coppers in his hand, and the till, and was going to put them into his pocket—I took him by the collar—he put them back, and said, "I have got no money"—my wife was in the parlour—I said, "We will search you"—we searched his right-hand pocket, and found this money—I charged him with its being my money—that money was missing from the till—we have two bowls in the till, and, as near as I can say, three minutes before, this silver was in the bowl, and one halfpenny laid on this bowl on the silver—the halfpenny was found in his pocket—all this time Phillips was on the other side, and he kept on telling Compton to cut my b—y head off, and beat out my brains—Compton was inside the bar, and Phillips on the other side—he could see all that was done by Compton—he said, "You have three halfpence of Compton's money, give it him back, or I will pull you up and make you sorry"—I told him to behave himself, or I would call a policeman—I was going to call a policeman, and he clung round my neck, and held his hand over my mouth as I got along—our door was closed—he got his head against the door—I got the door open as well as I could—he put his hand on my mouth, and Compton ran out of the house—a policeman met him and brought him back—I had found the money, and gave it to my wife—the policeman took them to the station, and the money was left there.

Cross-examined by MR. PRENDERGAST. *Q.* How long have you been in this public-house? *A.* About five months—I have a licence to the house—it is not in my name—I took the house of my brother-in-law—the licence is not transferred—my brother-in-law took it out for me, as I came from the country—at present the licence is in his name, and his name is over the door—my brother-in-law is not here—it is my house—these men came in about four o'clock on Tuesday, as near as I can tell—it was boxing-day, and I could not get them out till three or four o'clock the next morning—there was such a number of them, and they seemed to be in company with these men, but the others left in the afternoon—at eleven o'clock there were three men and one lad, and two females—I would not draw any beer for them—they sat down for two or three hours, but at last, in the morning, my mistress said she was fatigued, and

they said they would go out if she would draw them a little ale—she drew them one pot, I think, and then they sat down—my wife was poorly—she was near her confinement—she was sober—I had not been drinking with the company the greater part of the day—the policeman came in directly I alarmed him—I have seen Compton in our house twice before, and Phillips several times—I do not know where they live—I was sober—I have never been tipsy—I laid hold of some of the party to get them out, but not these men.

WILLIAM CHADWICK (*police-constable F* 71.) I took Compton about twenty yards from the prosecutor's, hiding up against a baker's door—the prosecutor stated his loss, and neither of them denied it.

Cross-examined. Q. How near was Compton to the place? *A.* Not more than thirty yards—I went to the house first—he might have got five or six yards further, but not more—I asked where he was—the wife said, "Gone out"—I ran and saw him in the door-way—I did not see him running—it was only a moment from the time I got to the door that I pursued him—he did not make the least resistance in going—I asked Compton if his name was *Jack*—he said, "Yes"—I said, "You must go back with me"—he did, and then he went back,—I said, "Is this the man?"—they said "Yes," and he said nothing—he appeared to have been drinking, but was not intoxicated—the other had been drinking—the publican was quite sober.

COURT. Q. Do you receive orders not to go into houses? *A.* About ten o'clock at night the publican came and said there was a fight—I went to the door, and they were all quiet—I named it to the sergeant, and he said, "You have no call to go in"—the prisoner did not come to me to turn anybody out—he said they had been fighting, and pushed down part of a partition—I said, "Do you wish to give anybody in charge?"—he said, "No, if they make a noise again I will make them sorry for it."

(The prisoner Compton received a good character.)

COMPTON—GUILTY. Aged 45. } Confined Six Months.
PHILLIPS—GUILTY. Aged 50. }

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397. JOHN CLARKE and GEORGE ALEXANDER were indicted for stealing, on the 14th of December, 1 mirror and frame, value 30*s.*, the goods of John Richard Cook.

JOHN SQUIRE. I am journeyman to John Richard Cook, living in Beanford-terrace. He has a summer-house at the bottom of his garden—he had a mirror there, and on the 14th of December I missed it—this is it—(*looking at it*)—the summer-house was not locked up—it is within the curtilage of the house—the persons must have got over the wall.

AMBROSE CHANNER (*police-constable S* 137.) On the 14th of December, at a quarter to eight o'clock at night I was at the Pine Apple-gate, and met three lads going down the road towards Kilburn—I knew them by sight—the prisoners were two of them—I turned back and watched them—they turned up Abercorn-place to the fields, at Kilburn—I lost sight of them for one or two minutes, and saw something black against the wall—I went and saw the prisoner Alexander against the wall, and Clarke was inside, lifting the glass over the wall to him—I saw another person in the summer-house—I got over and took Clarke—the other ran away—Alexander was afterwards taken.

Clarke. The wall was not low enough to get over—I was there, but what the policeman says is false—I did not have it in my hand. *Witness.* Yes, you had it.

Clarke. I know nothing of this boy at all.

CLARKE*—GUILTY. Aged 14.—Transported for Seven Years.

ALEXANDER—GUILTY. Aged 14.—See page 301.

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398. WILLIAM CORNEELY was indicted for stealing, on the 26th of December, 1 handkerchief, value 5*s.*, the goods of James Teale Lingham, from his person.

JAMES TEALE LINGHAM. I am a clerk. About half-past four o'clock, on the 26th of December, I was walking in Cranbourne-street—I had a handkerchief in my pocket—I felt a person behind me—I turned and saw my handkerchief in the prisoner's hand—he dropped it—I collared him and gave him into custody.

Prisoner. There were two men pushed me against him, and I was saucy to him—he kicked me, and said I wanted to pick his pocket. *Witness.* I did not—he fell down, and I fell over him—I did not kick him.

GUILTY. Aged 15.—Confined Three Months.

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399. SARAH HEYMER was indicted for stealing, on the 26th of December, 3 pewter pots, value 5*s.*, the goods of Robert Ramshaw.

SARAH HOSIER. I am the wife of John Hosier, and live in Norfolk-buildings, Islington. I was in the Northampton Arms, at Islington, and in going out I saw the prisoner with something under her shawl—I went and told the person of the house—I came out and saw her again—I saw one pint pot found under her shawl, and one drop from some part of her clothes.

ROBERT RAMSHAW. I keep the Northampton Arms. I have been in business six months, and have lost six dozen of pots—these are my pots.

ROBERT CANE. (*police-constable N* 273.) I was called, and I took one pot from her hand, this dropped from her clothes, and I saw this pot under her arm.

Prisoner. On the evening of the 26th of December I was at the house, and went outside the door—I saw a man drinking, he said, "Will you have a drink of ale?" I took the drink—a waiter came and said, "What have you got there?"—he took me, and I went in with him—I only saw the female witness in the parlour, nor did I hear any woman speak to me, till I was being conveyed to the station-house, and then she said that I had had a glass of ale of hers in the parlour—I have been left for days together without support.

(The prisoner received a good character.)

GUILTY. Aged 41.—Confined Three Months.

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400. WILLIAM NORTON was indicted for stealing, on the 15th of December, 1 mare, price 2*l.*, the property of Alfred Hill; and that he had been before convicted of felony.

ALFRED HILL. I live at Enfield, in Middlesex, and keep a mare and cart. On the 15th of December I turned my mare out on Chase-green

common—I missed her on the 16th—I saw her again on the 18th at Edmonton, in the hands of the policeman Warren.

JOHN WARREN. I am an Edmonton policeman. I was on duty at Winchmore-hill on the 16th of December, and about four o'clock in the morning I saw two men driving a mare poney along in Hoppers-lane—one was leading and the other driving—the prisoner was one of them—I took the mare and Thomas Norton, but could not take them both—I showed the same mare to the prosecutor—I am sure the prisoner William Norton was one of the men—he said he was going to drive it to the pound, but he was driving it the contrary way—Thomas Norton was committed on the Monday under the vagrant act by the Magistrate, and this man was apprehended afterwards.

Prisoner. I was not there—he never took me with the poney at all—I was in London. *Witness.* Yes, he was, he walked with me for a quarter of an hour, and then ran away.

JOHN MEAD. I am an officer. I produce a certificate of the prisoner's former conviction from Mr. Clark's office—(*read*)—the prisoner is the man.

GUILTY. Aged 25.—Transported for Fifteen Years.

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401. ANN ELIZABETH THOMPSON was indicted for stealing, on the 22nd of November, 2 blankets, value 11*s.*; and 1 looking-glass and frame, value 1*s.*; the goods of Alexander Eloure.

ELEANOR ELOURE. I am the wife of Alexander Eloure. I let a furnished room to the prisoner—on the 13th of December I missed the blankets, and a small looking-glass—these are mine—(*looking at them.*)

Prisoner. *Q.* Was there any thing else you missed? *A.* No—your husband is still in the apartment.

COURT. *Q.* Was the husband at home? *A.* He came in while I was in the room—he used to go out to his work, and come in to his meals.

GEORGE MILLER. I am servant to a pawnbroker in Baldwin's-gardens. I produce these things which were pawned by the prisoner—no one was with her.

WILLIAM ADAMS. (*police-constable G* 184.) I took the prisoner, and found the blankets and glass, and have them here.

Prisoner. My husband being out of employment so much, I pledged the blankets, which I had done before, but could not get them out so soon as I could wish—I should have done so the following Saturday—on Wednesday she came and asked if I had pawned them—I said I had, but would get them out—I had no intention of leaving the room, and half the things there are my own—I owed them nothing.

GUILTY.* Aged 44.—*Recommended to mercy by the Jury.*
Confined Two Months.

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402. HENRY WALDEN was indicted for stealing, on the 14th of December, 3 pairs of trowsers, value 8*s.*, the goods of Bartholomew Courtney, from the person of Robert Woods Courtney.

ROBERT WOODS COURTNEY. I live with my father, Bartholomew Courtney, and live in Frying-pan-alley, Christ Church, but he has now

removed from there—he is a tailor. About twelve o'clock on the 14th of December, I was going down Artillery-lane with three pairs of trowsers—I was going to turn the corner of Artillery-street, when the prisoner came and snatched them from me, and ran away—I am quite sure he is the person—I cried out, "Stop thief," and ran after him—Mr. Hutchins caught him—these are the trowsers.

THOMAS HUTCHINS. I live in Artillery-lane, and am an umbrella-maker. I heard the alarm, and came to the corner of Gun-street, and some person laid hold of the prisoner—he was making a desperate resistance—the trowsers were in the street at his feet.

Prisoner. I hope you will have mercy on me—I was in a state of starvation—I asked a baker, a few minutes before, to give me a bit of bread, and he told me to go and thieve for it.

GUILTY. Aged 16.—Confined Six Months.

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403. FRANCIS DAVEY and JOHN GRIFFIN were indicted for stealing, on the 23rd of December, 1 handkerchief, value 2*s.* 6*d.*, the goods of Walter Montrion, from his person.

WALTER MONTRION. I live at No. 69, Green-street, Grosvenor-square. In consequence of some information, I thought it necessary, on the 23rd of December, to look into my pocket, and my handkerchief was gone—it was produced to me by the policeman—this is mine—(*looking at one*)—I do not know how long before I had had it.

CHARLES THRESHER (*police-constable L* 150.) I was on duty in Old Palace-yard, the day the Queen went to the House of Lords—I observed the two prisoners, and watched them—I saw them together for ten minutes, and saw Griffin with his hands behind him, working his fingers, and when there was a crush came, I saw him bring his hands in front, and I took him with this handkerchief in his hand—I cannot say that Davey was with him when he did that, I had lost sight of him—I had seen him with him about two or three minutes before.

JAMES BROOK (*police-constable L* 118.) I saw the prisoners together, and followed them both down from the corner of Parliament-street—I saw the prisoner Davey take the handkerchief from Mr. Montrion's pocket and give it to the other prisoner.

Cross-examined by MR. DOANE. *Q.* Were you in company with Thresher? *A.* Yes—I saw this done in Old Palace-yard—I called Thresher from Parliament-street, as I suspected the two prisoners—he came when I called him—he was by the side of me when Davey took the handkerchief—he had not the same opportunity of seeing the parties as I had, because he was in front of me—I was looking over another man's shoulder—he was nearer to Griffin than I was—the prisoners were close together, and both close to me—I have not made a mistake, that I am aware of—I have been a policeman eight years next May—it was done momentarily, and we took them directly.

(Both the prisoners received a good character.)

DAVEY—GUILTY. Aged 21.
GRIFFIN—GUILTY. Aged 19.

Recommended to mercy by the Jury.—Confined Six Months.

404. WILLIAM HYNES was indicted for stealing, on the 23rd of December, 4 loaves of bread, value 2*s.* 7*d.*, the goods of John Smith; to which he pleaded

GUILTY.—Confined One Month.

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405. JAMES JOYCE was indicted for stealing, on the 1st of January, 4 trusses of hay, value 10*s.*, the goods of Hugh Macintosh, his master; and FRANCIS NORRIS for feloniously receiving the same, well knowing it to have been stolen; against the Statute, &c.

MR. CLARKSON *conducted the Prosecution.*

JOHN MILLER. I keep the sign of the Feathers, at Old Brentford. I have known the prisoner Norris well for many years—we call him a jobber—he clips and trims horses, and does any job in the stable—he will groom—I believe he is not in any regular employ—he is a native of Ealing—I cannot tell where he lodges—on Monday, the 1st of January, he was looking about for me, and found me in the kitchen—he said, "Master, I have got a couple of right ones for you"—signifying good trusses of hay—I said, "Frank, I don't want any just now"—he said, "Master, I should like you to have them, come, look at them"—I went to the front door—there was a cart standing there with a little poney—I knew the cart and poney well—the hay was at the bottom of the cart—there was nothing else, to my knowledge—there were two trusses—it was trussed—I said, "Frank, it is too coarse for my horses, I want meadow hay; softer"—on his saying, "Master, I should like you to have these two, the last I have got," I said, "Well, put them in at 2*s.* 6*d.* apiece"—I do not recollect that he asked any price, but I told him I did not want it — I buy hay of jobbing-carts that go to London—I can get it at 2*s.* 6*d.* a truss — my loft will not hold a load of hay — I know John Matthews, the cooper—the horse and cart were his—he lives in New Brentford, nearly opposite the church.

Cross-examined by MR. DOANE. *Q.* You knew this poney and cart? *A.* I have seen it a great many times—I know the prisoner, because he has done many little jobs for me in the stable—there was nothing remarkable in the hay being at the bottom, when there was nothing else—it was in the middle of the day, between eleven and twelve o'clock.

MR. CLARKSON. *Q.* How far is your public-house from Mr. Macintosh's, at Ealing? *A.* Two miles and a half—the trusses were both delivered up, and one of them is here.

JOHN M'INNIS. I am superintendent of the works of Mr. Hugh Macintosh; he has a stable at Ealing, where his horses are. I know Mr. Darvell—Mr. Macintosh purchased clover hay of him—I have examined the trusses that are here and the hay at Mr. Macintosh's—in my judgment they are one and the same quality of hay—Mr. Macintosh has lost a great quantity of hay—Joyce was his horse keeper—he would have the charge of the hay—his wages were a guinea a week—he lived near the stable—he had no horses of his own, to my knowledge—Norris never gave me any account of this transaction, but in my presence before the Magistrate—it was not taken down in writing—I believe it was in the Magistrates' room, during the examination, he said that the hay was given to him by *Jem* Joyce.

Cross-examined. *Q.* You are not a farmer? *A.* No, but I profess to know a little about these things—I am a Scotchman—we grow some of the same in Scotland—I dare say there is a great deal of this quality about—I believe this is of the same quality as that we have for the horses.

MR. CLARKSON. *Q.* Did you purchase the hay for the Western railroad? *A.* Yes—I believe this is of the same description of growth as that in Mr. Macintosh's stables.

JOHN DARVELL. I am a hay buyer. I have sold Mr. Macintosh clover hay—it is 5*l.* 10*s.* per load—it was good clover hay—I delivered it last Friday at the Ealing stables, to the horse keeper, Joyce—I did not sell any to Joyce—there were no wet trusses in that—there was the week before, and Joyce threw them out and told me to take them to Mr. Macintosh's other stables, to be put into the rack—I have seen the trusses in Court, and have looked at the hay in the stable—I have not the least doubt but that they are the same sort of hay.

Cross-examined. *Q.* Did not Joyce object to some of your hay? *A.* Yes, the week before—it was very good when I brought it, but it got mouldy because it was wet—he did not say that when his master saw it there would be words about it—he directed me to take it to the other stable to cut it—I did not object to take it back—I did not give as a reason that I was going to London—nothing of that kind passed—I was going to London when I took it up there—it was taken to Mr. Macintosh's other stable—I did not say, that as it was so faulty and would not do for his master, that he was to sell it, and account to me for the difference—nothing of the kind passed—the name of Taylor was not mentioned—there never was a word mentioned about selling it—I had about twenty trusses of this kind in the rick—I first saw the hay at the office at Brentford—that was where I was asked to identify it—I did not see it at Miller's.

MR. CLARKSON. *Q.* Was this hay wet or mildewed? *A.* Not at all—I never agreed that he should sell any hay.

HENRY GILES (*police-constable F* 72.) I took Norris into custody—I had seen him before—I know the Castle—the stable is behind there—I have seen Joyce a great many times—I saw the prisoners drinking together on Monday.

JOHN PASCOE (*police-constable T* 19.) It was my duty to take the two prisoners from the office to the prison—in coming along, Joyce, in the presence of Norris, (without my saying any thing to him,) touched me on the shoulder, and asked me to make it as well as I could for him, to go to Mr. M'Innis and ask him to forgive him, as he had never done it before, and would not again.

JOYCE—GUILTY. Aged 51.—*Recommended to mercy by the Jury.*
Confined Two Years.

NORRIS—NOT GUILTY.

Sixth Jury, before Mr. Sergeant Arabin.

406. JOHN JAMES YOUNG was indicted for stealing, on the 29th of December, 2 shillings, and 1 sixpence, the monies of Thomas Alderson Freeman.

THOMAS ALDERSON FREEMAN. I live in South Moulton-street, and am

a box book-keeper at the Queen's Theatre. The prisoner was in the theatre last Friday evening—I asked him if he would take a letter for me—he said he would if I wrote it immediately—I did so, and enclosed 2*s*. 6*d*. in it—he was to take it to my house, No. 27, South Moulton-street—it was addressed to my wife—he never went there—I saw him the next evening, and taxed him with it—he said he could not wait to talk with me then, he had a friend waiting for him—I said I should wish him to come back with me, and after some time he did, and I gave him into custody of the constable—he said he had lost the note—I had seen him about the theatre for two months.

Alexander Kerr Beech. I am an officer. I took the prisoner into custody, and said I was sorry to find he had acted so foolishly—he said he was very sorry for it, it was a bad job—that he had taken the money out and spent it, and burnt the letter.

Prisoner. You told me it would be a mitigation of punishment. *Witness*. I never said so—I desired him to say nothing that would criminate himself.

(The prisoner received a good character.)

GUILTY. Aged 18.—*Recommended to mercy by the Prosecutor and Jury.*

Confined Six Days.

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407. JOHN WILLIAM WHEELER was indicted for stealing, on the 23rd of December, 1 pair of trowsers, value 18*s*.; and 2 handkerchiefs, value 2*s*.; the goods of Thomas Reece, his master: 1 coat, value 50*s*.; and 1 pair of trowsers, value 10*s*.; the goods of John Hamer: 2 coats, value 30*s*.; 2 waistcoats, value 10*s*.; 1 pair of trowsers, value 10*s*.; and 2 stocks, value 2*s*.; the goods of Charles Smithson.

Sarah Reece. I am the wife of Thomas Reece; we live in Duke-street, Lincoln's Inn-fields. I keep a lodging-house—the prisoner lodged in the front room first floor—I know Charles Smithson—he has worked for my husband nearly twelve months—Mr. Hamer lodged with me—he is another person who worked there—I missed the articles stated.

John Hamer. I lodge in Mr. Reece's house. I lost a coat and a pair of trowsers on the 23rd of December, about five o'clock—the prisoner slept in the same room with me, and the property was taken from that room—he got up between four and five o'clock in the morning—he could not undo the door—he came and called me, and said he was very poorly, and wanted to go down—he went down part of the way, and came back, took the bundle, and then went off—I afterwards missed the property—I have since seen it.

Charles Smithson. I lodge in this house, and slept in the same room with Hamer—the prisoner called us in the morning—he went down, came back, and took something, and went away—I lost my property, which was safe the night before—after he left the house, we saw him running with a bundle—we did not see him leave the house.

Prisoner. *Q*. Did not I come back again? *A*. Not that I know of.

Frederick Henry Herring. I am a clothes-salesman, and live in Postern-row, Tower-hill. I did not know the prisoner before Friday evening, and dealt with him on the Saturday morning, the 23rd of December—I bought of him these two coats for 9*s*.—it was not more than the value of them, what they were worth to me in my business.

JOHN SYRETT. I was on duty on the 23rd of December—about eight o'clock in the morning two of the witnesses came up to me, and the prisoner with them—they gave him into my charge for robbing them—I passed him to the watch-house, and then to the Compter—at eleven o'clock I brought him before the Lord Mayor, and his lordship referred the case to Bow-street—a coat belonging to one of the prosecutors was on the prisoner, and the trowsers were in the bundle he had with him, with these waistcoats and other things.

Prisoner. *Q.* Where did you find the trowsers? *A.* In the bundle—you had the bundle in your hand.

(*Property produced, and sworn to.*)

GUILTY. Aged 19.—Transported for Seven Years.

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408. MARY VIZARD was indicted for stealing, on the 1st of January, 3 shirts, value 4*s.*; 1 flannel shirt, value 1*s.* 6*d.*; 2 caps, value 2*s.*; and 1 habit-shirt, value 6*d.*; the goods of Stephen Collis; and that she had been before convicted of felony.

LOUISA HASSALL. I live in Upper Cleveland-street, near the New-road. About three, or a quarter past three o'clock, on the 1st of January, I was coming down stairs, and saw a person coming up out of the kitchen—it was the prisoner—I saw she held something behind her—she saw me, and turned back a step or two, and put it out of her hand—it was wet linen—I stopped her, and held her till I called for some one from the other part of the house, and she was detained—I went down and saw it was all these articles—they were wet—I had seen them hanging to dry half an hour before that—it was all in a bundle, rolled up—I called the officer, and gave her in charge.

ELIZABETH CROSBIE. I reside with my father in Upper Cleveland-street, and work with my needle. I know these things were hanging up down stairs about five minutes before the prisoner was taken—I had been down for a pitcher of water, and saw them safe—I do not know the prisoner.

JOHN COLLISON (*police-sergeant F* 13.) I took the prisoner, and have the things.

STEPHEN COLLIS. I live in this house—these things are mine and my wife's.

Prisoner's Defence. I left my baby with a stranger, while I went to George-street, Hampstead-road, where I was promised employment, for my husband is lying at home ill; in going there to know what day I should come, I was taken ill in the street, and went in there, as I saw the door open—I went into the back yard—I returned, and was coming up the stairs, and this witness came down the stairs; she went down and turned back, and said what was I doing in the house—I said I had been into the yard—with that she said there had been many things lost in the house—she stopped me, and told the people I was in the house—she went down and brought these things up, and said that I had them—that is all I know.

THOMAS RESTALL (*police-constable E* 151.) I have a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person who was then tried and convicted—I was a witness here.

GUILTY. Aged 30.—Transported for Fourteen Years.

409. JOHN WILKINS was indicted for embezzlement.

JOHN PAVEY SHERRY. I am a shoemaker, and live in the Kingsland-road. The prisoner was my errand-boy for about five weeks—he had no right to receive money on my account.

NOT GUILTY.

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410. JOHN WILKINS was *again* indicted for stealing, on the 11th of December, 1 pair of shoes, value 2*s.* 6*d.*, the goods of John Pavey Sherry, his master.

JOHN PAVEY SHERRY. The prisoner was my errand-boy, and had been so five weeks—when he went home with a pair of shoes which I had sold, he never returned, and the following morning we heard that he was at the station-house — I went there, and found he had been taken up on suspicion of having a pair of shoes, but had been set at liberty—I went and found him at his mother's house—I did not miss the property from the shop—he was sent with them.

CLEMENT CATLIN. I am an officer. On the 18th of December I was going to Worship-street, and Mr. Smith, the pawnbroker, said that the prisoner had offered a pair of shoes in pawn, and he stopped him with them —I took the shoes and prisoner to the station-house—the prisoner told me that his mother had sent him out to pawn them—I went to his mother, and found her story corresponded with his—he was discharged, and then the prosecutor came—I said he was discharged, and then I went with him to the prisoner, and asked what he had done with the shoes—he said he had pawned them the night before, and had spent the money—I took him to the pawnbroker's, and found the shoes, which I can swear were the same I saw at the pawnbroker's the evening before.

JOHN CHUBB. I have shoes that were pawned by a lad, about the size of the prisoner, on the 18th of December—I do not like to swear to the person—it was about his size—if I were compelled to swear I should say it was not this lad—I would not swear it—if I say one way or another you would think I was doing wrong—I do not recollect the youth I took them in of—it is impossible, in the multitude of pledges we take in, to recollect for three weeks together—I was examined before the Magistrate —the youth I took them in of was in size and stature very much like the prisoner.

GUILTY. Aged 17.—Transported for Seven Years.

(There was another indictment against the prisoner.)

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411. GEORGE ROFFY was indicted for stealing, on the 3rd of January, 1 pewter pot, value 1s., the goods of Samuel Cordeux.

STEPHEN COULSON. I live in Park-Crescent, and am under-bailiff to James Llewellyn, Esq. On the day stated I was looking out of the dining-room window, and saw the prisoner, who was a stranger, take away a pot belonging to the prosecutor, from our area—he went away with it in a little basket—I went, stopped him, and asked him where he was going to take it—he said to take it home—I said he had better go with me to Mr. Cordeux—he did not know him, and gave him in charge.

SARAH CORDEUX. I keep the Masons' Arms in Devonshire-street. This is my father's pot, who is ill—his name is Samuel.

GUILTY.* Aged 18.—Transported for Seven Years.

412. ANN HODDY was indicted for stealing, on the 30th of December, 1 waistcoat, value 4*s.*, the goods of William Smith.

HARRIET SMITH. I live in John-street, Tottenham-court-road—my husband's name is William. The prisoner lived in the next room—this waistcoat is my husband's, and was in a blue box behind my room door on the second floor—I missed it on Sunday evening, the 31st of December, when my husband went to put it on—I went and knocked at the prisoner's room door, and she was not within—we went out, and came home about ten o'clock; and I said, "Is Mrs. Hoddy within?"—she said, "Yes"—my husband said, "Where is my waistcoat?"—she said, "I solemnly declare I have not had it, nor seen it; what can I say of a thing I have not heard of or seen?"

Prisoner. The prosecutrix said if I would tell where it was she would not do any thing to me. *Witness.* I said if you would own it before you were in custody I would not take you.

JAMES MILLS. I am a pawnbroker in Charlotte-street. I took this waistcoat in of the prisoner on Saturday last.

GUILTY. Aged 53.—Confined Six Weeks.

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413. JOSEPH FLINT was indicted for stealing, on the 1st of January, 1 handkerchief, value 2*s.*, the goods of Welhelm Hartman, from his person.

WELHELM HARTMAN. At a quarter to eleven o'clock on the 1st of January I was at St. James's Palace, listening to the band—I felt my pocket touched, turned round, and saw the prisoner with my handkerchief in his hand—he wanted to give it to another man, but the man did not like it, and he dropped it on the ground—he was secured, and taken into custody—this is my handkerchief—(*looking at it.*)

Prisoner. There were two men standing by the side of me—it was not me that did it.

GUILTY. Aged 22.—Confined Six Months.

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414. WILLIAM ROBINSON was indicted for stealing, on the 29th of December, 34 pictures, value 2*l.*; and 3 drawings, value 1*l.* 8*s.*; the goods of John Hayward, his master.

JOHN HAYWARD. I am a carver and gilder. The prisoner was my apprentice, and had been so since the 17th of March—on the 27th of December I told him to warm some glue, instead of which he went into the front room, but I did not see him—in about twenty minutes I missed him—in about an hour and a half after I missed a book containing thirty-seven prints and the drawings—I made inquiries, and on Saturday found him in Ratcliff-highway—I went to him, and said, "You are a sad boy, what have you done with the prints?"—he made no answer—I saw a portion of them sticking out of his trowsers—he was taken to the station-house, and these were found—there are six of them missing.

GUILTY. Aged 16.—Confined Six Months.

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415. THOMAS SPENDLOVE was indicted for stealing, on the 6th of December, 1 pair of trowsers, value 4*s.* 6*d.*, the goods of Thomas Henry Cooper.

LYDIA COOPER. I am the wife of Thomas Henry Cooper, of King's Arms-place, Commercial-road—he is a clothes salesman. On the 6th of December I lost a pair of trowsers, in the early part of the evening—they were pinned on a line at the door—I made inquiries, and found them at a pawnbroker's—these are the trowsers that were lost—(*looking at them*)—they are my husband's—I know nothing of the prisoner.

HENRY POTTER. I live with a pawnbroker. On the 6th of December I took in these trowsers of the prisoner.

Prisoner. I am very sorry, but coming from my work at the time, I saw a boy of the name of Clarke who asked me to pawn them—I did so, but did not know he had stolen them—I have good friends, but they are not here—I live with my mother.

GUILTY. Aged 13.—Confined One Month.

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416. JAMES BLOUNT was indicted for stealing, on the 3rd of January, 529 yards of calico, value 19*l.*, the goods of John Robins and another.

JOHN SHOWLER. I am a policeman. I was on duty yesterday, about half-past six o'clock in the morning, in Seymour-street, Bryanstone-square—I saw a wagon at a coffee-shop, and a cart alongside, and the prisoner in the cart—I saw the cart drive about four or five rods from the wagon—the book-keeper called out, "Stop him"—I went towards the cart, and the prisoner was then driving—I took the prisoner and the cart—in the cart was this package, which the wagoner owned.

THOMAS WHITNALL. I am in the service of John Robins and Mr. Mills, they are wharfingers at Paddington and at London Wall. I had the care of this wagon—I brought the property from No. 5, Wharf, Paddington, and was to take it to different parts of the City—this calico was to go to Wood-street—I stopped to get my breakfast—I went in first, and then the wagoner went in, and I was outside—I saw the cart come—the prisoner took the bale out of the wagon, and put it into the cart—he was then going on—I followed him, got in and stopped him—I called the policeman—it weighed 2cwt. and 20lbs.

RICHARD WEBB. I am a carman. I lent the cart to the prisoner on Tuesday night—he had it at half-past four o'clock, and then he returned it at half-past five o'clock, and asked me to let him have a cart the first thing the next morning, which I did—that was this cart.

GUILTY. Aged 23.—Transported for Seven Years.

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417. ELIZABETH BRAZIER was indicted for stealing, on the 31st of December, 3 sovereigns, and 1 half-sovereign, the monies of Thomas Foy, from his person.

THOMAS FOY. I came to town on Saturday, from Hampshire, and was robbed on Sunday night, the 31st of December—I worked on the railroad—I had three sovereigns and one half—I put the money into a bit of paper in my right-hand pocket—I came out of a public-house in Brook-street at six or seven o'clock—I was sober, and met this girl at the door as I was coming out—"How far do you go?" said she—I said, "Home"—"Will you walk with me, my dear?" said she—I said, "I do not mind that"—we came down a street, and I went down a court—I put my hand on her shoulders, and she put her hand into my pocket, and stooped down and ran

way—I tried to take hold of her, and could not—I cried out, and the constable came to me—I told him—he took her and brought her to me on Tuesday morning— I am sure she is the woman—I lost three sovereigns and a half—I had been working on the railroad, from Stoney Stratford to Hampshire.

Prisoner. I never saw the man till Tuesday morning. *Witness.* I will swear she is the woman.

JAMES HENRY ANDREWS (*police constable K* 104.) I heard of the robbery, and took the prisoner, from the prosecutor's description, in Twine-court—I had known her before—the money was not found—I took her on the Tuesday—I could have taken her on the Monday, but they were all drunk together.

Prisoner. He took us on the Monday, and then let us go, and on Tuesday he took me again.

GUILTY.† Aged 26.—Transported for Fifteen Years.

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418. MARY ANNE HEDGE was indicted for stealing, on the 26th of December, 5 yards of fur, value 2*l.* 3*s.*; and 1½ yard of fringe, value 9*s.*; the goods of Mary Elizabeth Redman and another, her mistresses.

MARY ELIZABETH REDMAN. I am a dress-maker, and have one partner, who is my sister. I work for Messrs. Holmes, in Regent-street—the prisoner was employed to work for me—she came to my place in George-street, Portman-square to work—she assisted us in Mr. Holmes's work, which is different from our business—we missed a length of sable on the 26th of December, that was Mr. Holmes's—her lodgings were searched about three days ago, and in the bottom drawer of a chest of drawers in her bed-room I found a piece of the length of sable, but not the whole of it —this is a small piece of the length we missed, and these other pieces of fur, which are worth about 2*l.* 3*s.*, and this is chenille fringe with which we border the velvet shawls—I have known her about five weeks—since she worked for us—she was not present when these were found.

SUSANNAH WEBLEY. I work for Miss Redman, and live in the same house with the prisoner. My apartments were searched, but nothing found —I was present when this property was found in the prisoner's apartment —I worked there about a week before Miss Hedge went there—I have known the prisoner since the 25th of October—she always bore an excellent character, and her friends are very respectable.

HENRY WILLIAM MORRIS. I am the officer—I searched and found these things in the back room, where the prisoner slept.

Prisoner. I hope you will have mercy on me—I always bore an excellent character before—I have been servant in gentlemen's families.

(The prisoner received a good character.)

GUILTY. Aged 24.—*Recommended to mercy by the Jury and Prosecutrix.*—Confined Four Days.

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419. JAMES DUTTON was indicted for stealing, on the 28th of December, 1 cloak, value 15*s.*; ¾ of a yard of calico, value 4*d.*; 2lbs. weight of pudding, value 2*s.*; 1lb. weight of beef, value 9*d.*; 3 shillings, and 1 sixpence; the goods and monies of Ann Slatter, to which he pleaded

GUILTY. Aged 21.—Confined One Month.

OLD COURT.—*Friday, January 5th*, 1838.

First Jury, before Mr. Sergeant Arabin.

420. JOHN JONES was indicted for burglariously breaking and entering the dwelling-house of Isaac Gillatt, on the 27th of December, about the hour of two in the night, at St. James, Westminster, with intent to steal, and stealing therein, 4 salt-cellars, value 30*s.*; 38 spoons, value 9*l.* 10*s.*; 4 ladles, value 2*l.*; the tops of 3 castors, value 3*s.*; 1 pair of sugar tongs, value 4*s.*; 2 pot stands, value 4*s.*; 1 pair of bracelets, value 3*s.*; 21 knives, value 30*s.*; 13 forks, value 10*s.*; 1 steel, value 2*s.*; 1 table-cloth, value 3*s.*; 1 pair of boots, value 3*s.*; 2 sixpences, 21 pence, 131 halfpence, and 266 farthings, his goods and monies; to which he pleaded

GUILTY. Aged 18.—Transported for Ten Years.

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421. JOHN POLLARD was indicted for stealing, on the 25th of November, 50lbs. weight of veal, value 2*l.*, the goods of John Moore.

JOHN MOORE. I am a butcher, and live in Marchmont-street, Burton-crescent. On the 25th of November I was at Newgate-market—I bought a side of veal at Pocklington's, down the lane, in the market—my cart was in Warwick-square—I did not see the veal in the cart myself, but it was lost soon after, and found at a beer-shop—I can identify it, because it is a very peculiar side—it is very white, and has a sweetbread on it—it is a peculiar colour—when I found it it was cut up, but the whole side was there except a small part of the breast—I found it within an hour and a quarter—I swear positively that it is mine.

RICHARD EDWARDS. I am servant to the last witness. I was in Newgate-market, and received a side of veal from the shop where master bought it—I placed it in master's cart in Warwick-square—I left the cart shortly afterwards to fetch more meat from the market, and missed the veal on returning—I saw the prisoner in the market before it happened—I went to a beer-shop an hour afterwards and found the veal—according to my judgment it is the same—it had been cut then.

CHARLES JAMES OWEN. I was in Newgate-market. I had the care of Mr. Moore's cart in Warwick-square, when the veal was put there—I left the cart a short time to go backwards and forwards—the prisoner came and spoke to me, and asked me which was Mr. Moore's cart—I pointed it out to him, and he afterwards asked me where Mr. Moore's man was—I said I expected him down directly, and if he waited a little while he might see him—I thought he wanted to see him, but while I was going backwards and forwards I missed him all at once, and then the veal was missed.

Prisoner. *Q.* Did you see me take it out of the cart? *A.* No.

JOHN NORTH. I am a pork-butcher. On the morning of the 25th of November, between seven and eight o'clock, I saw the prisoner in Newgate-market, and afterwards saw him with a side of veal on his shoulder—he appeared to bring it out of Warwick-square.

Prisoner. *Q.* Did you see me come out of the square? *A.* No.

WILLIAM DODD. I am a policeman. I received information of the veal being stolen, and went to a beer-shop in Speldhurst-street—I found

the veal there in the parlour, cut up—the bone I produce is part of it—I did not find the prisoner there.

ELIZABETH EVANS. I keep the beer-shop. The prisoner lodged at my house—he came there the latter end of July—on the 25th of November the officer came and found the veal in my parlour—I do not know who put it there—it was not there with my knowledge—I never saw the prisoner afterwards—he left the lodging without giving notice.

Prisoner's Defence. I am a butcher—I was down at Newgate-market, between seven and eight o'clock, and met a man named Moss with some beef, and this veal on his shoulder—he said, "Will you carry this side of veal to my cart?" I said, "Yes," and took it to put into his cart—I do not know who I met in the lane—he gave me twopence to get a glass of ale, and I went and had a glass of ale with him.

GUILTY.—Transported for Seven Years.

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422. EDWARD STEWARD was indicted for stealing, on the 1st of January, 1 pint of wine, value 2*s.* 6*d.*, the goods of Thomas Britten, his master.

THOMAS BRITTEN. I am a wine-merchant. The prisoner is my cellar-man, and has been so above seven years—about three weeks ago I missed three gallons of wine—I do not know how it went—the prisoner always had a jacket when he came to work, and very frequently left it on the premises—I had the curiosity to look into the jacket in consequence of suspicion—I lifted up his jacket one day by chance, in the warehouse, and saw a tin bottle in it, with the top out—it was empty—it would hold nearly a bottle—I smelt it, and it had decidedly contained wine—I watched occasionally every day, and on the 1st of January I looked at the jacket as usual, when he went to dinner, and found the tin in his pocket full of wine, drawn from a particular cask in my stock—I took my brother to see it, and then called in an officer, and showed it to him—when the prisoner returned from dinner, I had him called into the counting-house, and told him I suspected he had been robbing me—he said he never had—I said, "You have something in your pocket which belongs to me"—he said he had not, and turned out all his pockets, and said it was all he had got—the officer searched him, and found this tin flask of wine, put into a secret pocket, below the one I had found it in—he then said it was wine given to him—I asked him from whom—he said, "A person not far off"—I said, "Who?"—he said, "At St. Helen's"—I asked the name—he refused to tell, and said nothing should induce him to give up the name—I gave him in charge, and in his pocket we found an account of wine sold, amounting to between four and five dozen, and some spirits—I am convinced the wine was mine—it was very fine sherry.

Cross-examined by MR. CLARKSON. *Q.* Is he a married man? *A.* He is — I had had bricklayers in my house, but they had gone when I missed the wine—the prisoner has conducted himself very well during the seven years he was with me—it is very likely I should not have prosecuted him, if he had not told me a lie, and said the wine had been given him—he was my head cellar-man—I placed great confidence in him —I have no partner.

FREDERICK BRITTEN. I am the prosecutor's brother. I have heard his evidence—it is correct.

EDWARD KING. I am an officer. I was sent for to Mr. Britten's, and searched the prisoner—I found a tin can on him containing sherry wine, which I produce—it was in a pocket in his jacket.

Cross-examined. Q. I believe the Magistrate desired you to inquire if you could find any thing against the man? *A.* He did, and I could find nothing.

GUILTY. Aged 62.—*Recommended to mercy by the Prosecutor.*
Confined Six Months.

Before Mr. Baron Alderson.

423. JOSEPH HOWARD was indicted for feloniously offering, uttering, disposing of, and putting off, a certain forged note, purporting to be a note of the Governor and Company of the Bank of England, and called a Bank-note, well-knowing the same to be forged.—2nd COUNT, stating his intent to be to defraud William Eales.

MESSRS. MAULE, ADOLPHUS, *and* BULLOCK *conducted the Prosecution.*

WILLIAM EALES. I keep the Paradise Tavern, in Paradise-street, Rotherhithe. The prisoner came to my house one day—I do not recollect the day—I believe it was the latter end of October, or beginning of November—he came and asked for a pint of gin—I asked if he had a bottle to put it in—he said, "No, you must lend me one"—I put up the gin in a bottle for him, and he tendered me a £5 note—he had it in his hand, and laid it down for me, and asked me to change it—I asked him who it was for—he said, "For Mr. Jackson"—knowing there were many Mr. Jacksons, I asked him what Mr. Jackson—he said, "For Dr. Jackson just above here"—there is a surgeon and apothecary there—I held the note to the light, and saw there was a water-mark in the paper—he thought I was rather scrupulous about it, and said, "You need not be afraid, it is all right, it is for Dr. Jackson"—I then gave him four sovereigns, and silver, and halfpence—the gin came to 1*s.* 4*d.*—I do not know whether I gave him half a sovereign—he went away, and I saw no more of him—I marked the note "Jackson," and put it away—I put the name on the note while the prisoner was there, while my wife went up stairs for the change—this is the note—(*looking at one*)—I saw the prisoner in custody four or five weeks after—I never saw him again till then—I am sure he is the man—I have not the slightest doubt of it.

Cross-examined by MR. PRENDERGAST. Q. How long was he with you? *A.* I suppose four or five minutes, not more—it was more than two or three minutes, because my wife had to go up for change—I had never seen him before.

Q. Is there not another Mr. Jackson besides the one you speak of? *A.* Not in the neighbourhood—there is no other a little way off, that I know of—he told me Dr. Jackson was a customer of mine, which was the case.

MR. ADOLPHUS. Q. Did he say "Dr. Jackson here above?" *A.* Yes, and pointed to where he lived.

COURT. Q. What time was it? *A.* Between seven and eight o'clock in the evening—I had the gas lighted—he had a hat on—he was close to me—he leant on the bar while I was waiting for the change.

JOHN JACKSON. I am a medical-man, and live at No. 66, Paradise-street, Rotherhithe, which is about 100 yards from Mr. Eales, in the same street. I know Mr. Eales—I do not know the prisoner—I never saw him,

to my knowledge, till he was in custody—I did not at any time send him to Mr. Eales for change, nor for gin.

Cross-examined. *Q.* Is there not another gentleman of your profession and name? *A.* Not in our neighbourhood—not within a mile—there is one in Bermondsey—he resides more than a mile from Mr. Eales's house.

ELIZABETH BARRETT. I am the wife of William Barrett, who keeps the Green Man, in Featherstone-street, City-road. I remember the prisoner coming to our house on the 29th of October, in the middle of the day—I should think it was about a quarter to two o'clock in the afternoon—he asked me for a pint of gin for Mr. Watson, No. 7, over the way, and the loan of a pot to put it in—Mr. Watson lives at No. 7, James-street, over the way, and is occasionally a customer—we lent him the pot, gave him the gin, and he tendered this £5 note in payment—he laid it down on the counter, and I said, "Oh, dear me, have not you any thing smaller than this?"—the gin came to 1*s.* 4*d.*—he said it was for Mr. Watson over the way—I gave him the change then without hesitation—I put the note immediately into a small canvas bag, and put the bag into a drawer in my counter—there was no other note in the bag—next morning when I found I could not get my pot back, it aroused my thoughts, and I took the note out of the bag—I had not marked it—I sent to Mr. Watson's for the pot three different times, but did not get it—my husband then went over and came back without it—while he was gone I looked at the note, and thought it looked thick paper—I went up stairs and compared it with another, and in the meantime my husband came home, and Mr. Watson with him—they each examined the note—it was marked then, and it had a mark when I took it—there is "Williamson" written on it, and that was on it when I took it—when my husband looked at it, he did not mark it again—we sent it to a neighbour to ask what he thought of it—it was brought back by the maid-servant, who took it—my husband then took it to the Bank, and left it there—this is the note—(*looking at one*)—I examined it carefully.

COURT. *Q.* How do you know it? *A.* By the name—I know the writing, Williamson, on it, and the figures—I observed the word Williamson on it while the prisoner was at the bar, before I put it into the bag.

Cross-examined. *Q.* Are you quite confident that this was on the 29th of October? *A.* Quite—I never stated that it was on any other day—I said I thought it was the 5th of November, but when I went home I referred to my ledger, and found it was a mistake—the 5th of November was the same day of the week as the 29th of October—I had never seen the prisoner before—I recognise the note by the name of Williamson on it, and there is 2—2 and 37—I observed that the same day, before I put it into the bag.

Q. Were you so certain that if you had been asked you could have said there was 2 2 37 on it, without your seeing the note? *A.* Yes—I particularly observed it—I had a particular reason for making the observation—I was asked if Watson's name was on it, and I said "Yes," mistaking Williamson for Watson.

CAROLINE PARKER. I am bar-maid to Mr. Barrett. My mistress gave me a note to take to Mr. Whitehouse the day after it was taken—I was in the bar-parlour when it was taken—I delivered it to Mrs. Whitehouse—it was not a moment out of my possession till I gave it to Mrs. Whitehouse—I gave her the same note as mistress gave to me—Mrs. Whitehouse took it up

stairs—she returned it to me again—I took it back to mistress, and delivered it to her.

Cross-examined. *Q.* What time was this? *A.* About eleven o'clock in the morning.

MARGARET WHITEHOUSE. I am the wife of Mr. Whitehouse, a grocer, living at No. 31, Featherstone-street, City-road. I remember receiving a note from Caroline Parker—I do not remember the date—it was in the forenoon—I took the note up stairs to my husband, and brought it down, and gave it to Parker again—it was the same note as I took up—I observed the note myself, and should know it again, I think—I observed that the date was done very badly—I cannot say what the date was—I also observed that it had a signature which I had not seen before, and I could not make it out—(*looking at a note*)—this is the note—it is exactly like it—many notes come through my hands—I did not lose sight of it when I gave it to my husband.

WILLIAM BARRETT. I am the husband of Elizabeth Barrett. I was in the adjoining room when the note was given to my wife—I did not see it given—next day I received it from my wife to look at, after I had been to Mr. Watson's about the pot—Mr. Watson returned with me to look at the note—I received it from my wife, and took it to the Bank—Mr. Watson and I both examined it, and the figures were irregular, some were rather bigger than the others—I should know it again, for there is the name of Williamson on the back, and a kind of splash with a pen—this is the note—(*looking at it*)—I marked it at the Bank—I put my own name on it, and find it here now, and the name of Williamson, which I took particular notice of, and 2 2 37—I noticed that directly I came from Mr. Watson's—I left it at the Bank.

WILLIAM GEORGE WATSON. I am a watch gilder, and live at No. 7, James-street, Old-street. I do not know the prisoner—I never saw him to my knowledge till I saw him at the police-office—I never sent him to get any gin or change for a £5 note—I saw a £5 note at Barrett's, and should know it again, by the name of Williamson on the back, and the badness of the plate altogether—this is the note—(*looking at one.*)

Cross-examined. *Q.* I presume there are several persons of your name? *A.* There is a Watson a bookseller in the City-road, about five minutes' walk from my house, and there is another Watson, but not in the same street—there is no other Watson in the same street.

ROBERT PALLETT. I am landlord of the Cock and Bottle in Cannon-street, City. The prisoner came to my house on Monday evening, the 2nd of October, between eight and nine o'clock, and asked for change for a £5 note—I hesitated, being busy—several customers were standing at the counter, and I think I served one customer—he said "If you can change the note I will take half a pint of gin"—he had half a pint of gin, and I gave him change for the note, four sovereigns, and the rest in silver and copper—the gin came to eight-pence—he brought a bottle for it—when I gave him the change, being busy, I handed him pen and ink on the counter, and asked him to mark the note—he wrote the name of William Smith, No. 13, Walbrook on it—there was another name on it, below that—(*looking at a note*)—this is the note—I threw it down on the table in the bar parlour, and before I put it into the drawer I wrote the name myself, which he wrote, "Smith, Walbrook"—I afterwards made inquiry at 13, Walbrook, but could find no William Smith there, neither lodger nor housekeeper.

Cross-examined. *Q.* Your hand-writing is on the front of the note? *A.* Yes—this was on the 2nd of October, in the evening—it was Club-day at our house, and there were a great many people there—I can positively swear the prisoner is the man that wrote William Smith on the note—I was busy at the time, but I can identify him—I had a very strong gas-light, and had him full in view—I gave evidence at Lambeth-street.

ELLEN SHAND. I am a widow, and carry on business as a baker, at 21, Little Knight-rider-street, Doctors' Commons. The prisoner came to my shop on the 25th of September, between seven and eight o'clock in the evening—I had the gas lighted—I am positive he is the man—he asked for one shilling's worth of biscuits, for Dr. Burnaby—I put the biscuits up, and he laid me down a £10 note to pay for them—I gave him the biscuits in a bag—I had not sufficient change, but a customer came in, and made up the change, and I gave it to him—he went away without the change at first, but came back again, and said Dr. Burnaby had no change, that a parcel was waiting to be paid for, and I must let him have as much as I could, and the rest to-morrow—while he was away I received the money and I gave him the whole change—he gave me the note, and I wrote on it immediately Dr. Burnaby's name, and the date—my daughter Caroline was present—I should know the note again—(*looking at one*)—this is it—I wrote on it immediately.

Cross-examined. *Q.* This was six months ago—had you ever seen him before? *A.* Not to my knowledge, nor did I see him again, to my knowledge, till he was at the office.

MR. MAULE. *Q.* Had he his hat on? *A.* No—he was dressed in dark clothes—Dr. Burnaby is a neighbour of mine.

CAROLINE SHAND. I am the daughter of the last witness. I remember her giving change of the £10 note to the prisoner—I know him again—I am quite sure he is the person who gave me the note.

DR. BURNABY. I live in Doctors' Commons. I do not know the prisoner, except from seeing him at the police-office—I never employed him to buy biscuits for me, nor to change a £10 note.

JOSHUA FREEMAN. I am inspector of Bank-notes to the Bank of England—(*examining the notes*)—this £10 note uttered to Mrs. Shand is forged in paper, plate, and signature—this £5 note uttered to Barrett, is also forged in paper, plate, and signature—this £5 note uttered to Pallett, is also forged in every respect; also this uttered to Eales, in paper, plate, and signature.

COURT. *Q.* Have you looked at them, to be able to tell if they are from the same plate? *A.* Very carefully—I looked at all three of the £5 notes, and have not a doubt that they are all from the same plate—they are all dated the 20th of February—they have different signatures, but I should say they are the same hand writing—the numbers are different, but they are printed afterwards—(*note read*)—No. 76,829, £5, dated 20th of February, 1836. Signed, F. Twiss.

GUILTY. Aged 28.—Transported for Life.

Before Mr. Justice Williams.

424. MARY ANN JONES was indicted for feloniously, and without lawful excuse, having in her custody and possession 2 forged Bank-notes,

1 for £5, and the other for £10, well knowing them to be forged.—2nd COUNT, for having in her possession a forged £10 note only.

MESSRS. MAULE, ADOLPHUS, *and* BULLOCK *conducted the Prosecution.*

THOMAS SHELSWELL. I am an officer of Lambeth-street. On the 28th of November I met the prisoner in Mary-street, Whitechapel—as soon as I came up to her, I told her I wanted her, she must go with me—she asked what for—I told her it was on suspicion of being concerned with other parties in uttering forged notes—she said, "I know nothing about forged notes, I can neither read nor write"—I told her I should go home with her, and search her place—she said I was welcome, she could not be accountable for any thing her husband had done—I went to her house in Infant School-yard, and after a little time got in—I asked her for the key first—she said she had not got it—I tried to force the door, but could not—I left her in the custody of another person, while I went round and got in at the back of the house—after I had got into the house, and brought her in, I went up stairs—I took her up stairs with me, and searched her person, but found nothing on her—in searching the bed, between the mattress and bed-sacking, I saw a piece of newspaper lying, folded up—I took it out, and said to her, "What is in this?"—she said, "I do not know any thing about it"—I unfolded it, and found it contained four £5 and two £10 notes—I folded them up, and put them into my pocket—I desired her to put her clothes on, and brought her away in custody to Lambeth-street—nothing more passed—these are the notes I found—(*looking at them*)—I put my name on the back of them all before they were out of my possession—these are the same notes, and this is the newspaper I found them in.

Cross-examined by MR. PHILLIPS. *Q.* Had you known her any length of time? *A.* I have known her three or four months—I have heard that she is a married woman—I was at the office—I have reason to believe she is a married woman, from circumstances I could mention.

MR. ADOLPHUS. *Q.* Do you know the person who is reported to be her husband? *A.* I do not know him, for I want to see him—I have been after him for horse-stealing, since about May last—I have never been able to find him since that time—I only knew of his living in Infant-School-lane from information.

JEREMIAH THOMAS ISLEY. I let houses, and receive rents for parties. I know the prisoner, and know the house in Infant-School-yard—I let that house to a man named Jones—I do not think there is any number to the house—I let it to him some time in June or July, I believe, or it may be later—the prisoner paid me the rent, till within this month or six weeks—she paid it, generally, weekly, but sometimes it ran a few weeks—the last rent I received from her was two months ago, I believe.

Cross-examined. *Q.* You are sure it was since May you let the house to the man calling himself Jones? *A.* Yes; I saw him on the premises—another man he knew lived there before, and he said, "I shall leave, and Jones will take it"—Jones did not pay me any money in advance—he did not pay me a sovereign in advance—he paid me some arrears of the former tenant—I believe it was about a sovereign.

COURT. *Q.* Did you ever see the prisoner and that man together? *A.* Yes—they did not call each other by any name particularly—when I was there it was warm weather—they complained of the bugs, and wished me to do something to destroy them.

MR. PHILLIPS. *Q.* Were they in the house together at the time they complained of the bugs? *A.* Yes—the bugs were in the bed-room.

CATHERINE HODGES. I am the wife of a blacksmith, and live in the same yard as the prisoner, in the adjoining house. My husband has a blacksmith's shop directly opposite—we agreed with Mr. Isley to take it, and pay him the rent—I know the prisoner—our shop is a little lower, and when the prisoner gave up a stable, we took it to enlarge our shop—we commenced the rent of the stable about the 29th of last May, and held the key previous to that—I was present when the agreement was made, and the key came from Mrs. Jones.

Q. How do you mean it came from her? *A.* We knocked at the door, and nobody answered—the key was in the street door, there was a little girl there, who went on errands for Mrs. Jones—I went across to get the girl to go to Mrs. Jones, as she was very ill in bed—the girl was not at home—her sister came across—I sent the sister into Mrs. Jones's house, and she brought me back the key of the stable—during that time Mrs. Jones has lived in that house up to last Tuesday five weeks, when she was taken up—I cannot exactly say whether she was living alone in the house for some months before—there were many followers—she occupied the house.

Cross-examined. *Q.* There were many followers, men and women? *A.* Yes—chiefly men—I do not know their names, only one young man, I have heard his name—I cannot tell whether one of them was named Jones.

MR. ADOLPHUS. *Q.* Do you know Jones, who is represented as the husband of the prisoner? *A.* Yes—he lived in the house, up to about a fortnight previous to our holding the key of the stable—I never saw him after we got the key.

COURT. *Q.* Had she any lodgers in the house who slept there at night? *A.* I cannot say—I have heard footsteps in the house at night, of more than one person—I might have heard them the night before she was taken up, or the night before that—there was not more than one bed in the house, for I went in with the officer to search the house, and there was but one.

JOSHUA FREEMAN. I am inspector of Bank notes to the Bank of England—(*looking at the notes*)—these are all forgeries in every respect, paper, plate, and signature—the fives are from the same plate, but there are two tens not from the same plate.

COURT *to* THOMAS SHELSWELL. *Q.* Was the paper between the palliass and the sacking? *A.* Between the palliass and sacking—there was a bed, a mattrass, and palliass, and it was under the palliass.

(MR. PHILLIPS, *on behalf of the prisoner, stated, that she denied all knowledge of the notes being in the place where they were found.*)

NOT GUILTY.

Before Mr. Justice Coltman.

425. JAMES COFFEY was charged on the Coroner's Inquisition only, with killing and slaying Bridget Coffey.

MARY BROOKS. I knew Bridget Coffey—she died on the 6th of December—she got her living by selling milk—she used to carry it out in

pails—the prisoner lived with her as her husband—on the 26th of November I heard her call out in her house, and heard her say to her husband, "You have kicked me out of bed and almost killed me"—I heard her fall, and then heard her cry and say, "You have kicked me out of bed and almost killed me, and I will expose you to all your neighbours"—I heard the prisoner say, "I have not kicked you, I have only pushed you"—I knew his voice—I did not understand any thing more that she said—I heard her cry and she went out—this was about six o'clock in the morning—she used to go out about six o'clock with her milk, and return a little after seven—I heard nothing further pass at that time—I was in the next room to theirs—I could distinctly hear what was passing in their room.

Q. What state of health had the woman been in before that? *A.* She had been very poorly the whole week—I do not know what was the matter with her, but I could see she was unwell—I saw her again on the Monday—this was on Sunday—I had seen her come home about an hour afterwards, and I understand she went to bed—I saw her in bed on the Monday—she seemed very poorly—I saw her every day afterwards—she kept her bed always after that—she appeared to get worse, and died on Wednesday, the 6th of December.

Q. Did you see any marks on her person? *A.* Not till Tuesday—I saw she had a very black eye and marks all down her face—she told me she got it by falling out of bed on Monday night, as she was getting out of bed—she told me so on the Tuesday morning.

Jury. *Q.* Was she sufficiently well to take out her milk until the morning in question? *A.* Yes, every day.

Thomas Coffey. I am the son of the deceased Bridget Coffey. I am aware of her having a black eye.

Q. Do you know how it was occasioned? *A.* One night, when I was in bed, and my father was not in, I was asleep, and my mother got out of bed—I do not know what for exactly—she tumbled down over the milk-pails which stood by the side of the door—she called out to me, and I got up to help her—I found her on the floor, and one of the pails turned over—I said, "Mother, what is the matter?"—she said, "I have fallen down and hurt my face, help me into bed again," and I did so—I do not know on what day this was—it was after she had taken to her bed—when I helped her into bed she put her hand to her face—that is the way the injury to the face was occasioned.

Prisoner. I knew nothing about it, first or last.

Alice Fowler. I knew the deceased—I remember her taking to her bed on the 26th of November—she had been very poorly for a week before that—I never asked her particularly how she came to take to her bed—she took to it on the Sunday—I went down to take my milk of her, and she seemed very pale—she continued to get worse till she died—she had a doctor to attend her—I know nothing of any violence being used to her by her husband—she never complained to me of any thing but his kicking her out of bed—I never saw her the worse for liquor.

Ann Jenkins. The deceased was my mother-in-law—she sent for me on Friday night, the 1st of December, after ten o'clock—I had not seen her for seven weeks before.

Q. Did you ever know her intoxicated? *A.* The day she came to me, (seven weeks previously,) she was intoxicated, and I have seen her the worse for liquor before, but not particularly so—she was very much intoxicated

the seven weeks before—I am not able to state any accident that happened to her—when I came to her, I observed some marks, or bruises, on her body—I showed them to the doctor when I changed her linen—they were on the right side—how they occurred I am not able to say—when I first saw her black eye I asked her how it came, and whether the prisoner did it—she said " No "—she took my two hands and squeezed them very much, and said, " Oh, *Anny*, he did not do it, but he will be blamed for it."

WILLIAM BUSS. I am a surgeon. I saw the deceased after death, but not during her lifetime—I examined her body, and found a mark over the right eye, one on the back, and under the lower part of the belly a discolouration.

Q. Were they marks apparently from injuries inflicted? *A.* Exactly so—they were such as might occur from blows or kicks—they might have occurred from a fall, or from getting up, and falling over milk pails—that might produce such marks—I examined the internal parts of the body—on removing the scalp from the skull, a quantity of effused blood was seen under the part of the eye that was bruised—it was extravasated blood—there was no fracture of the bone—the vessels of the brain were much distended with blood—the substance of the brain itself was otherwise healthy—there was no disease in the chest—the lungs were healthy, and no disease was formed in any other organ—on examining the abdomen, or belly, there was a considerable effusion of blood, corresponding to the discolouration I mentioned, on the right side—the intestines adhered to the sides of the belly—that was the result of old inflammation.

Q. Were you able to say what was the cause of death from your inspection of the body? *A.* My opinion is, that these bruises were not in themselves mortal, but they might have accelerated the death, in the situation she was in—I did not see her during her life.

NOT GUILTY.

Before Mr. Baron Alderson.

426. CHARLES MILES, ROBERT SHEPHERD, and JAMES SNELLING were indicted for stealing, on the 14th of December, 18 yards of printed cotton, value 11*s.*, the goods of John Lawrence.

EBENEZER MARRIOTT. I am a boot and shoemaker, and live at No. 2, Princes-street, Portman-market. I know Mr. Lawrence's shop—he is a linen draper in New Church-street—on Thursday evening, the 14th of December, about half-past nine o'clock, I was passing his shop, and I saw the prisoner Miles looking in at the window—Shepherd and Snelling were standing together at the corner of Carlisle-street, about a dozen yards off, talking together—I then went into a baker's shop two doors off, and when I came out of that shop I saw Miles taking some prints from inside the shop door, which was open—he ran to Shepherd and Snelling, who stood at the corner, and gave the things to Shepherd—Miles and Shepherd then ran down Carlisle-street—Snelling passed Mr. Lawrence's shop, looked in at the door, and passed along—I ran in and gave information to Mr. Lawrence—Sudell ran out after them, but did not overtake them—I am quite sure of the other two prisoners.

Cross-examined by MR. PRENDERGAST. *Q.* Snelling went in a different direction? *A.* Yes, and walked off.

COURT. Q. Did Snelling see Miles deliver the goods to Shepherd? *A.* Yes.

HENRY SUDELL. I am shopman to Mr. John Lawrence, a linen-draper. Marriott alarmed me—I looked, and missed immediately two pieces of printed cotton from the door, nine yards each—I had seen them safe about a quarter past nine o'clock—I know the prisoners Shepherd and Snelling—I had seen them before the window before the alarm, walking past and looking in—they walked backwards and forwards two or three times, and looked in—that was about a quarter or half an hour before Marriott alarmed me—when he gave me information I pursued Miles, but did not overtake him—I did not see him till he was at the station-house.

JOHN RYAN. I am a policeman. I took Miles up on the 16th of December, two or three days after the robbery—I found him in the back buildings of 42, Pell-street, in bed—I made him dress himself and get up—I told him his father was looking for him, and when I got him out into the street, I asked him where the prints were which he took from Church-street—he said, "What prints?"—I said, "Cotton prints"—he said he had taken none—I took him to the station-house, and got the witness, who pointed out Miles, and said he was the one who took them—he made no reply—on the 29th I saw Shepherd go into a baker's shop—I said, "Halloo Shepherd, is that you?"—he made no answer—I said, "Is not your name Shepherd?"—he said, "Yes"—I said, "I want you for receiving two cotton prints from Miles, on the 14th of the month"—he said he knew nothing of it.

THOMAS LEWCOCK. I am a policeman. I apprehended Snelling, and took him to the station-house—I there told him I wanted him concerning a robbery in New Church-street, which Miles was in custody for—he said he did not commit the robbery, that Miles did—that he was talking to Shepherd at the corner of Church-street—that Miles took the things and gave them to Shepherd, and Miles and Shepherd went one way and he the other.

Miles's Defence. I am innocent—I never had the property, and I know nothing of Snelling—I know Shepherd by sleeping in the same house with him.

Shepherd's Defence. I met Snelling in the street, and said, "I have had nothing to eat since dinner"—he gave me 3*d.*, and then went to get something for his supper—I turned down the street and bought something for my supper, and went home and went to bed.

MILES—GUILTY. Aged 15.—Confined One Year.

SHEPHERD*—GUILTY. Aged 23.—Transported for Seven Years.

SNELLING—NOT GUILTY.

Before Mr. Justice Williams.

427. WILLIAM CHANDLER was indicted for stealing, on the 31st of December, 1 purse, value 6*d.*; 14 sovereigns, 6 half-sovereigns, and a £5 Bank note; the goods, monies, and property of Harriet Fairfax, from her person.

HARRIET FAIRFAX. I am a widow, and keep the White Horse tap in Friday-street. I know the prisoner by sight, but I never saw him in my house before last Sunday—my house joins my tap-room—we can hear from the tap-room to the bar—last Sunday evening, between five and six o'clock, the prisoner came and asked for a glass of brandy—the servant

served him—I saw her serve him—he then asked for change for a sovereign, which I gave him out of a little box where I had silver—he requested to have half a sovereign, instead of all silver—he asked for it three times and said to me, "How do you do, ma'am? you have been lately ill"—I said, "Young man, you have the advantage of me; I do not know your features"—I thought he might be a neighbour's son, and I asked him to favour me with his name—he hung his head down and made no answer—he then called for a glass of ale, and said, "It is a rule to drink the old year out and the new one in, and I shall get tipsy to-night"—he had had his change, and put down the sovereign—he said to me, "You have not taken up the sovereign"—I then put my hand into my pocket, took out my purse, and put the sovereign in—he immediately snatched the purse out of my hand, and ran out as hard as he was able—I cried "Murder," and ran after him—he turned to the left—(there was 17*l.* in gold, and a £5 note, in the purse)—I ran after him, crying "Murder, my purse, my money," very loudly—I never lost sight of him—he turned to the left, about two steps up the White Horse-yard—he was returning back—I caught hold of him by the collar, and scuffled with him, and held him till my son came up—my son took him from me, and took him into the bar—a policeman came afterwards and received him in charge—I have never seen my purse or money again—Iam quite sure the prisoner is the person—I cannot say what made him turn back—I was running after him, crying "Murder."

Q. Supposing he had continued to run on in the direction to the left, was there any thing to stop him? *A.* There are gates at the end of the yard, which are fastened on Sunday—it is no thoroughfare, and he could not have got out, as the gates were fastened—he had not got very near to the gates before he turned back, but he could see there was no thoroughfare—he was near enough for that I should think—I was close behind him—I cannot answer for his seeing that the gates were closed.

Cross-examined by MR. PHILLIPS. *Q.* Had you ever seen the person before? *A.* Never, to my knowledge—it was on Sunday last, between five and six o'clock in the afternoon—it was darkish—I followed him out instantly—I never lost sight of him—I saw every thing that occurred, but I did not see him give the money to any body—I saw the prisoner—I did not notice any body else—the change I gave him was mostly in half-crowns—I think it was seven half-crowns—I know I gave him 19*s.* 6*d.* in silver, and the servant gave him 3*d.*—I know I gave him half-crowns, and I think it was seven half-crowns—I did not give him seven half-crowns, two shillings, and 3*d.*—I gave him, I believe, seven half-crowns, two shillings and sixpence, and the servant gave him 3*d.* change out of the sixpence—he did not pay for the ale at all—the maid gave him the 3*d.* out of the till—it was for the glass of brandy that he had had.

Q. What did he do with the seven half-crowns you gave him? *A.* I do not know whether he put them into his pocket or kept them in his hand, I was so confused, but he took them up as I put my hand in to get my purse—I had been unwell, and was recovering—I was very much flurried and frightened.

Q. Your memory, perhaps, is not so good? *A.* I shall never forget him—I did not feel infirm then—my servant got round before me—I followed instantly, and I never lost sight of him—he never drank the ale.

ANN BEACHAM. I am servant of the prosecutrix. I saw the prisoner, last Sunday, at our bar, between five and six o'clock—I served him with

a small glass of brandy, and directly afterwards he asked for a glass of ale —I served him with both—he asked for change for a sovereign—mistress gave it to him—I saw him take the purse out of mistress's hand—I saw her give him change—I cannot exactly say what it was—whether it was shillings or half-crowns—directly after the change was given him, he snatched the purse out of mistress's hand, and ran out of the door—I followed him, and mistress hallooed after him—I was close to him, and I saw him give it to another man—I saw the other snatch the purse out of his hand—I was close to him at the time, almost touching him—it was a short, dark man that snatched it out of his hand, and he ran round the corner—the prisoner went to the left, up the yard—mistress followed him, and took hold of him as he was coming back—he was turning down the yard at the time—I went to see where the other went to, and mistress went the other way, and took hold of the one who stole the money—I did not see her till she had got him—mistress's son took hold of him—almost directly she took hold of him mistress hallooed "Murder," twice—I had never seen the prisoner before, but I am sure he is the man who was in our bar, and who I served with the ale and brandy.

Cross-examined. *Q.* Were you not rather frightened and flurried? *A.* I was frightened to see him snatch the money I was present when he came into the house—I was getting mistress's tea—I heard his conversation—my mistress had been ill, and confined to her bed, and she was in a weak state the prisoner took up the change which she gave him—I did not see him put it into his pocket, he kept it in his hand—mistress had her purse in her hand at the time he took it—she was putting the sovereign in which he had given her—he said he generally made it a point to drink the old year out, and the new year in, and he said he understood she had been ill—he said to her, "You have not taken up the sovereign"—it was then on the counter—my mistress at that time had the purse in her hand—she put her hand into her pocket to take it out, when he said, "You have not taken up the sovereign."

Q. When you saw him first, did you not say, "That is not the man?" *A.* No—I knew him by his countenance—I did not say he was not the man, nor any thing of the kind—I had never seen him before—he did not pay for the ale—he had the ale and drank part of it—I am sure of that—my mistress was present at the time.

Joseph Fairfax. I am the prosecutrix's son. On Sunday last I heard my mother cry out "Murder"—I was at the back part of the house when I heard my mother screaming, and ran towards the yard as hard as I could —I did not get into the yard, but close by it—the yard joins our house—I found my mother struggling with the prisoner close by the yard—I assisted her, and secured the prisoner—I took him back into the bar, and when I sat him down in a chair in the bar, he put his hands up and said, "Mercy, mercy"—I sent for a watchman, and gave him into custody.

Cross-examined. *Q.* Who was present when he asked for mercy? *A.* There were some persons in the bar, but my mother's screaming brought so many persons—my mother was there—I do not remember the bar-maid coming up while my mother was struggling with him—I had too much on my mind to be looking after the servant girl—I did not notice her—I never heard her say, "That is not the man;" I heard her say, "That is the man," but I did not observe her, not in the street—the yard is open on week days, but on Sundays it is closed—there is a gateway which

joins our house—it is an Inn yard, and opens into the street—it is a wagon office—I had never seen him before, to my knowledge—he was searched, and eighteen shillings and some halfpence found on him.

COURT. *Q.* When did the girl say he was the man? *A.* When he was at the watch-house.

BENJAMIN MURRAY. I am a watchman. I took the prisoner in charge at Mrs. Fairfax's bar, and took him to the watch-house—as he went along he endeavoured to put his hands into his pocket, but I prevented him—Mr. Fairfax was on one side, and I at the other—he endeavoured to extract his hand to put it into his pocket—I held him by the wrist, and told him he was near the watch-house, and I would not let him—he told me he wanted to put his hand into his pocket—I gave him to Cuthbert the inspector.

JAMES CUTHBERT. I was the night officer and inspector of the watch. The prisoner was brought to me—I searched him, and found on him five half-crowns, four shillings, and four sixpences, a medal, and three penny-pieces.

GUILTY. Aged 26.—*Recommended to mercy by the Prosecutrix on account of his youth.*—Transported for Fifteen Years.

NEW COURT.—*Friday, January 5th,* 1838.

Sixth Jury, before Mr. Common Sergeant.

428. GEORGE GOWER was indicted for stealing, on the 4th of January, 5lbs. weight of flour, value 6*s.*; and 1 candle, value 1*d.*; the goods of Timothy Thorn and another; to which he pleaded

GUILTY.—Confined One Month.

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429. JOHN MACK was indicted for a misdemeanor.

THE HON. MR. SCARLETT *and* MR. ELLIS *conducted the Prosecution.*

WILLIAM CASTLE. I keep the Grapes, in Milton-street, near Cripplegate. I know the prisoner—I saw him on Saturday, the 30th of December, about three o'clock in the afternoon, with another person, at my bar—the prisoner asked for half a quartern of gin—he gave me a shilling—it was a good one, I am confident—I put it into the till—he made an observation that he had coppers enough, or halfpence enough—I gave him the shilling out of the till—he then said, "Never mind," and put down a shilling on the counter—I suspected him, and I bent it up, and went round the counter and secured the prisoner—I took him by the collar—he gave the first shilling back to me after I seized him—I sent for the constable, and as he was coming in, the half-quartern measure that he had been drinking out of was taken up, and there were two more bad shillings in it—the other man walked out when I sent for the officer—they had heard me send—I threw the other shilling into the measure, but the others were not so much bent as that—I can distinguish it.

DENNIS HUGHES. I am the ward officer of Cripplegate Without. I was sent for to the house and took the prisoner—I received from Eliza Castle three shillings as I entered the door—I asked which was the one that had been uttered, and asked him to mark it—I produce them.

WILLIAM CASTLE *re-examined.* This is the one he uttered to me, and these are the two that were in the pot.

JOHN FIELD. I am inspector of coin to Her Majesty's Mint, and have been so many years. These are all counterfeit, and all made in one mould.

GUILTY. Aged 24.—Confined Two Years.

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430. JANE REEVES was indicted for a misdemeanor,

THE HON. MR. SCARLETT *and* MR. ELLIS *conducted the Prosecution.*

HANNAH DAWSON. I am a coal and potato dealer, and live in Brick-lane, Spitalfields. On the evening of the 22nd of November the prisoner came to my shop for a penny carrot, and a halfpennyworth of leek and parsley—I gave it her—she gave me a shilling, and I gave her 10½*d.* change—she went away before I perceived it was bad—I did not lay it out of my hand till I perceived that it was bad—I then put it into a small box by itself—I saw her again on the morning of the Friday following, the 24th, between eleven and twelve o'clock—she came for 1*d.* worth of potatoes—I weighed them, and she gave me a bad shilling, which I detained—I recognised the woman again—I saw this was a bad shilling—I charged her with uttering a bad shilling—she said, "Give it to me back"—I said I would not—she said she would fetch some one that would make me, and left the shop—I kept the shilling, put it into a piece of paper, and put it into the box with the other—I had sent the boy for an officer before she left—here is another shilling that she gave the boy before she gave me one—this is the one I gave the change for—I made a mark on it, and this is the last she gave me—(*looking at it.*)

JOHN GUERRIER. I am a policeman. I produce these shillings, which I received from Hannah Dawson.

JOHN FIELD. These are both counterfeit, and both alike.

GUILTY.* Aged 62.—Confined One Year.

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431. SAMUEL RICHARDSON was indicted for a misdemeanor.

JAMES BROWN. I am a publican, keeping the Duke of Wellington public-house in Shoreditch. I know the prisoner—I saw him on the 12th of December, between six and seven o'clock in the evening—he came to my house and called for a small glass of cloves, which came to 1½*d.*—I served him—he gave me a half-crown—I gave him 2*s.* 4½*d.*, and he went away—I put the half-crown into a separate division of the till, in which was no other money—it remained there half an hour—I discovered it was bad directly he had gone—I marked it—I saw the prisoner next on the 20th—he came in about the same time, and called for the same thing (a glass of cloves)—I did not know him at first when he came in, but he put down a half-crown—I saw it was bad, and accused him of passing a bad one before, and refused that one—he took it back, and gave me a good sixpence—I gave him change, and he went away.

Cross-examined by MR. DOANE. *Q.* Did you not recognise the one to be bad that he passed on the 13th? *A.* Yes; and I ran to the door, but he was gone—I did not know it by what my partner told me—I found it out before—I put it into the till while the prisoner was there—I did not find it out till he left—when he came the second time I charged him with this, and I refused to take the second bad half-crown—I am certain he is the man that passed the first—I did not give him in charge—I ought to have done it—I was very glad to get the sixpence—I knew he was the man that

came before—I had not the least doubt he had passed the bad half-crown.

THOMAS STANLEY. I am a partner with James Brown. On the 13th of November I saw the prisoner—I went to the till, and saw a bad half-crown in a division of the till—I ask ed who had taken it—my partner said he had—I put it into a closet in the bar-parlour—it remained there about a week—I delivered it to the policeman, James Smith, who, I believe, first marked it—I marked it myself when I took it out of the till—it was not in the till more than an hour—I kept it locked in a closet in the bar-parlour—I kept the key—no one went to that closet but me.

JOHN JONES. I keep the Duke's Head, in Norton Falgate. I know the prisoner—I saw him on the 20th of December, between four and five o'clock, behind my counter—he wanted a glass of ale, and offered me a half-crown—I noticed it, and did not like it—I had some few friends in my back parlour—I went to show it to them—he said, "Stop, stop, I have got some halfpence"—he threw me 2*d.* on the counter—I said, "I shall detain this half-crown"—he said, "Detain my half-crown?"—I said, "I am not so greedy, I will cut it in half"—I took the knife and cut it—I said, "We will go partners in this"—I kept one and gave him the other half.

Cross-examined. *Q.* Are you sure you did not get any thing more by going partners? *A.* Yes.

WILLIAM HAWKINS. My father keeps a public-house in Norton Falgate. The prisoner came to my father's house on the 20th of December, and called for a small glass of cloves, which came to 1½*d.*—he *chucked* down a half-crown—I gave him 2*s.* 4½*d.* out—I sounded it—I thought it sounded like a good one, and I bit it—I put it into the till where there was some silver, but the silver was in one corner, and this in another—in a few minutes a young man came in—I took it out, and asked if it was good—he said it was bad—I put it into the same place again—the next morning my mother delivered it to somebody—my father and I were up stairs—my mother said she took it from the back of the till—I did not see her take it out.

Cross-examined. *Q.* You thought it was good or you would not have taken it? *A.* Yes.

MRS. HAWKINS. I took the half-crown out of the till, and gave it to the officer on the 21st, in the morning, at ten o'clock.

WILLIAM CARPENTER GILL. I keep a public-house in Shoreditch. On the 20th of December the prisoner came to my house and had a small glass of shrub—he offered me a counterfeit half-crown—I said it was a bad one—he took it up, and paid me with four halfpence—I took him into custody—he resisted, and I sent for an officer—I never had the half-crown in my hand—a party in the shop saw him put it into his mouth and swallow it.

JAMES SMITH. I am a policeman. I apprehended the prisoner on the 10th, at Mr. Gill's—I found in his pocket thirty shillings, three sixpences, and 1*s.* 3½*d.* in copper money—the next morning I received from Mr. Hawkins this half-crown, this half of a half-crown from Jones, and this half-crown from Stanley.

JOHN FIELD. These two half-crowns are counterfeit—this part is also counterfeit.

GUILTY. Aged 25.—Confined Two Years.

432. ANN BARRETT was indicted for a misdemeanor.

THE HON. MR. SCARLETT *and* MR. ELLIS *conducted the Prosecution.*

THOMAS BENNETT. I keep the Plough, in Museum-street, Bloomsbury. I saw the prisoner on the 5th of December, about two or three o'clock in the afternoon—she came for a glass of gin—I served it—it was 2*d.*—she gave me a shilling—I said it was bad—she said she did not know it was bad—I said it was the third time, and I should give her in charge—I sent for the officer, marked the shilling, and gave it him.

COURT. *Q.* Are you sure it was the third time she had attempted to pass bad money? *A.* Yes.

THOMAS COBHAM. I am a policeman. I received this shilling from Mr. Bennett, and took the prisoner into custody—nothing was found on her—I was present at her examination before the Magistrate, the same evening, the 5th of December—she was discharged, and taken the next day, for uttering a sixpence to Mr. Groom, and discharged for that on the 14th.

JOSEPH HALL. I am a labourer, and live at Enfield-highway. I was in Covent Garden-market on the 16th of December, selling turnips at the corner of Russell-street—the prisoner came and asked the price of the turnips—I told her 1*s.* 6*d.*—she said would not 1*s.* 3*d.* do—I said, "No"—she took four bunches, and gave me a shilling—I gave it my master—he said it was, bad and got a policeman.

THOMAS BALFORD. I took possession of this shilling—I got a policeman—I had the shilling in my hand, and gave it him.

DAVID RICHARDS. I am a policeman. I took the prisoner, and have the shilling—this is it.

JOHN FIELD. These are both counterfeit, and both alike from the same mould.

GUILTY.* Aged 50.—Confined One Year.

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433. EDWARD KEMP was indicted for a misdemeanor.

NOT GUILTY.

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434. GEORGE POULTON was indicted for obtaining, by false pretences, on the 18th of December, 1 bridle, value 30*s.*; 1 saddle, value 2*l.* 10*s.*; and 1 pair of reins, value 10*s.*; the goods of Alexander Caryll; to which he pleaded

GUILTY. Aged 16.—Confined One Year.

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435. THOMAS SMITH was indicted for stealing, on the 1st of January, 6 razors, value 21*s.*; and 2 razor-cases, value 6*s.*; the goods of Charles Stocken.

LUCY STOCKEN.—I am the wife of Charles Stocken—we keep a shop and sell razors. On the 1st of January the prisoner came to my shop, and asked me for some papers—while I turned to get them I saw him put something into his bag—I accused him—he denied it—I took the bag, and felt the razors in it—he ran away and left the bag in my hand—I know the prisoner is the person.

ELIZA WYNN. I am the prosecutor's servant. I saw the prisoner

come in—I am confident he is the person—I saw these razors and case found in his bag—I followed him, and he was secured.

Prisoner. I never was in the shop—they have mistaken the man completely—I never was there at all that day. *Witness.* I am sure he is the person—he was taken by the policeman in about twenty minutes.

WILLIAM DRABBLE (*police-sergeant C* 21.) I heard a cry of "Stop thief," and ran and saw the prisoner in the Quadrant—Eliza Wynn had followed him all the way—she was not four yards behind him—she said she would have followed him to the City if she could not get an officer.

Prisoner. I never was in the shop, and never was indicted for any thing in my life—I have not a friend in town.

GUILTY. Aged 42.—Confined Six Months.

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436. WILLIAM LIVERMORE was indicted for obtaining, by false pretences, on the 3rd of December, 1lb. weight of beef, value 1*s.*; 1½ gill of brandy, value 1*s.* 6*d.*; and ½oz. of tobacco, value 2*d.*; the goods of Charles Hodder.

CHARLES HODDER. I have a letter here from Sir J. Barrow, to prove that the prisoner was not a lieutenant in the navy at the time this happened, on the 3rd of December, and the letter is dated the 2nd of January—I have no other evidence—this states that on the 2nd of January he was not a lieutenant, but he might have been on the 3rd of December, as he represented—I am not in a condition to prove it, except by his own admission before the Magistrate.

NOT GUILTY.

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437. WILLIAM LIVERMORE was *again* indicted for obtaining, by false pretences, on the 16th of November, 1lb. weight of beef, value 1*s.*; 4 pints of beer, value 1*s.*; 1 gill of brandy, value 1*s.*; 2 oz. weight of cheese, value 1*d.*; and ¾oz. weight of tobacco, value 2*d.*; the goods of Sarah Amelia Sirrell.

Upon which no evidence was offered. NOT GUILTY.

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438. MARY SULLIVAN was indicted for obtaining, by false pretences, on the 23rd of December, 3½lbs. weight of pork, value 2*s.* 5*d.*; ½lb. weight of butter, value 6*d.*; and 6 eggs, value 6*d.*; the goods of James Brinckes.

JAMES BRINCKES. I keep a cheesemonger's shop in Ray-street, Clerkenwell. On the 23rd of December the prisoner came, and said she wanted 3 or 4 lbs. of pork, ½ lb. of butter, and six pennyworth of eggs for Mr. Cameron—I knew Mr. Cameron, and served him, and she lived with him I know—I had let her have property before—I let her have all these things in consequence of her stating that she came for them from Mr. Cameron.

JOHN CAMERON. I live at No. 3, Dorrington-street. The prisoner was not in my service on the 23rd of December—she had left me before—I did not send her that day for these articles, nor did I receive any of them—I had sent her to Mr. Brinckes before, while she was in my service.

Prisoner. I ordered some things to his house, and he has kept them. *Witness.* Yes; some things, but not these; these never came.

Prisoner's Defence. On the 23rd of December I was taken by a policeman on suspicion of taking goods from a shop on Mutton-hill, to the value of 3s. 6d.—I had been sent to the shop for things for Mr. Martineau, and he kept them—I beg to throw myself on your mercy—I have not got a friend to speak for me or give me a halfpenny—I have lately got my living by selling fruit in the street.

GUILTY. Aged 23.—*Recommended to mercy by the Jury.*—Confined Three Months.

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439. MATTHEW CHANDLER and HENRY MARKHAM were indicted for stealing, on the 31st of December, 12lbs. weight of beef, value 6s., the goods of Henry Hancock, the master of the said Matthew Chandler.

MESSRS. CLARKSON *and* BALLANTINE *conducted the Prosecution.*

JAMES FOGG. I am a Thames-police surveyor. On Sunday morning, the 31st of December, I was watching at the prosecutor's shop a little before eight o'clock, and saw Markham come out of Mr. Hancock's shop with a large bundle under his arm—he went up Blue-gate-fields to his own house, and remained there a little time, and came back again—Chandler was in the shop—I had seen them talking together in the shop—Markham came back in a quarter of an hour to the shop, and brought another bundle away—he did not go into the shop—Chandler gave him the bundle on the second occasion—Chandler spoke to him immediately, and he gave him the bundle—they had a very few words—they were not more than a minute together—I had a man of my own buying some meat in the shop at the time—I followed Markham to his house—I did not go back to Hancock's till the next morning, Monday, when I apprehended Chandler—his master asked what he had sold—he described some mutton, beef, and bones, and so on—his master said, "Is that all?"—he said, "Yes," and described it—I said, "You must have done a great deal of trade, I saw Markham twice at your shop—he took a large bundle away; did he pay you for the meat he took away?"—he said, "No"—I went to Markham's house with the prosecutor, and found him at home, and his wife—he was sitting down eating a piece of roast beef—he said, "Do you want to be measured for a pair of boots?"—the prosecutor said, "No, Mr. Fogg wants you"—I said, "Have you no more beef in the house?"—he said, "No"—his wife was in the room—she ran out immediately—I said, "You and Chandler have begun a nice game"—his wife ran into the yard—I said to Mr. Hancock, "Run out, that woman has got the privy door in her hand, I cannot leave him"—I then took Markham out into the yard—I told Mr. Hancock to turn up a tub that was in the yard, and in a pan were two pieces of beef—Mr. Hancock said, "These are my pieces"—I said, "Where did you get these?"—Markham said, "Mind, I have said nothing yet"—he said, "Mr. Hancock, you know my brother is a butcher, but I do not say I had it of him"—I also found about 60lbs. of coffee at Markham's.

Cross-examined by MR. DOANE. *Q.* Where were you on the first occasion? *A.* Right opposite Mr. Hancock's shop, walking up and down—it is not an unusual thing for butcher's shops to be open before Divine service on the Sunday—my man, Lancaster, was with me—I did not stop Markham on the Sunday morning—I expected to have a dozen of his customers—I should not get more by twelve prosecutions than by one, if they came on the same

day—I was there at 5 o'clock in the morning on Monday—Lancaster went first on Saturday.

JOHN LANCASTER. I am one of the Thames police-constables. On Sunday morning I was in the neighbourhood of the prosecutor's shop—I only saw Chandler there—no one came there—Markham came in when I came out—as I came out of the door, after purchasing some meat, Markham came to the threshold—I then stepped off the curb, and saw Chandler give Markham a piece of beef—he put it into a blue cloth, under his arm, and went across the road to Blue-gate-fields, and I after him—he did not weigh the beef, nor give any money—I bought a piece of corned beef myself—I then followed Markham to his house—I did not know where he lived before—he lives in the Back-lane, facing the Jolly Sailor, in St. George's-in-the-East —Mr. Hancock's shop is in Ratcliff-highway—Markham was on the threshold of the door when Chandler gave him the beef off the block.

Cross-examined. *Q.* How near were you to Chandler? *A.* About three or four yards—it was ten minutes after eight o'clock—I am well aware that money could not pass without my seeing it—the meat was about 4lbs.—I think I could swear a single coin could not pass and I not see it—I am sure it did not—I was on the side of Markham, and the front of Chandler—no one was in the shop but these two at that moment—the shutters were down.

MR. CLARKSON. *Q.* Were you placed there for the purpose of watching whether any money did pass? *A.* I was there for that purpose.

HENRY HANCOCK. I am a butcher at Smithfield and Ratcliff-highway. Chandler was my servant — I have a shipping business and a retail business—I am always at market in the morning, and then leave the business to Chandler—I came into the shop about nine o'clock that Sunday morning—Chandler was in the shop—I said, "Well, Charles, have you been busy this morning?"—he said, "No, Sir, I have had very little to do, indeed;" there was a man came in, I served him a piece of beef, it weighed twenty odd pounds—I then turned to Chandler, and said, "What have you sold?"—and seeing some money lying where it did in general, he said, "I have sold a small piece of corned beef and half a shoulder of mutton"—I said, "This is the money, I suppose"—he said, "Yes"—I took a piece of writing-paper off my desk, and wrapped it up—I went with Fogg to Markham's, and found Markham and his wife there—he was sitting at the table, taking his lunch—he said, "Oh, Mr. Hancock, do you want to be measured for a pair of boots?"—I said, "No; are you not ashamed of yourself, sitting there, eating my beef?"—his wife was there—she went out immediately—Fogg told me to follow her, which I did, down to the yard—I saw a tub there—Fogg came and desired me to turn it up, and I found two pieces of beef, which I could swear to—Markham said, "Mind, I have said nothing"—he said, "You know, Mr. Hancock, I have a brother a butcher"—I said, "Don't appeal to me, I know nothing about it"—I know this beef—I cut them myself—one piece was placed in the salt on Saturday night.

Cross-examined by MR. PHILLIPS. *Q.* How can you swear to that? *A.* I have twenty pieces to correspond with the small ones, the same sort of beef—I do not mean that there are not plenty of pieces of beef in London to correspond with it—I had no private mark on it, but I can swear to it—one was off a particular sort of bullock—it had been cut by me, and had been two or three times through my hands, and I saw it on Saturday night.

Cross-examined by Mr. Doane. *Q.* Have you any doubt that he has a brother a butcher? *A.* I never heard it before that—I have since—I beli ve he does not live far from me.

Mr. Ballantine. *Q.* Have you been a butcher long? *A.* Yes, and cut up meat constantly—I am able to speak positively to meat I cut up.

Jury *to* Mr. Hancock. *Q.* Do you ever sell meat without weighing it? *A.* Never.

(——— Barker, wholesale boot and shoemaker; John Taylor, butcher, Ratcliffe Highway; Charles Eyles, plasterer, 9, High-street, Shadwell; ——— Mansfield, butcher, New Gravel-lane; and ——— Daveson, butcher, Portman Market; gave the prisoner Chandler a good character; and Henry Morrison, tailor, Commercial-road; James Ives, 8, Back-road; Thomas Sweeting, Back-road, Shadwell, broker; Edward Pocock, Mile-end New-road, shoemaker; Pocock, son of Edward Pocock, and Daniel Ross, Back-road, carpenter, gave the prisoner Markham a good character.)

CHANDLER—GUILTY. Aged 23. } Transported for Seven Years.
MARKHAM—GUILTY. Aged 30. }

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440. The said MATTHEW CHANDLER and ANN PITT were indicted for stealing, on the 1st of January, 4lbs. weight of pork, value 2s., the goods of Henry Hancock, the master of the said Matthew Chandler.

Messrs. Clarkson *and* Ballantine *conducted the Prosecution.*

John Lancaster. I am a policeman. On Monday, the 1st of January, I was watching at the prosecutor's, and saw the female prisoner come past the shop four or five times—I saw Chandler—after she had walked several times she came to the threshold, and Chandler took a piece of pork, which laid on the right hand side of the block, he wrapped it in his blue frock, and gave it to her—the pork was not weighed, and I am well aware there was no money passed—I followed, and asked what she had got—she said, "A piece of beef"—I then took her to Fogg.

Cross-examined by Mr. Doane. *Q.* What time was it? *A.* A quarter before eight o'clock.

James Fogg. I was watching the prosecutor's shop. Lancaster brought the prisoner Pitt to me, and said, "This woman says she has got some beef"—I opened the bundle and said, "This is a piece of pork, where did you get it?" she said, "At Mr. Hancock's"—I said, "What did you give?"—she said, "I do not know"—she then said, 1*s.*, and slipped out of my arms and ran away towards the shop—I secured her, and gave her to Lancaster, I then went to Chandler, and he accounted to Mr. Hancock for what he had sold—I said, "Have you sold any pork?"—he said, "No"—I said, "I stopped a woman with a piece"—he said, "I did give her a piece, but I meant to pay my master for it"—I said, "Why did you not pay with these 8*s.* I took from your pockets?"—he said no more.

Henry Hancock. I am the master of the shop. What Fogg has last stated is the fact—I have heard the woman is sister to Chandler.

(The prisoner Pitt received a good character.)

CHANDLER—GUILTY. Aged 23.—Transported for Seven Years more.
PITT—GUILTY. *Recommended to mercy by the Jury and Prosecutor.*
Confined Six Months.

Fifth Jury, before Mr. Sergeant Arabin.

441. JOHN TUCKER was indicted for embezzlement.

MR. PHILLIPS *conducted the Prosecution.*

FELIX JOSEPH M'CARTHY. I live at No. 160, Drury-lane, and am a baker. The prisoner lived with me as servant.

Cross-examined by MR. CLARKSON. *Q.* Were the terms on which he so lived with you reduced to writing? *A.* Yes—I believe the officer has got the book in which it was—the book was shown to the Magistrate, and it is here—the agreement is not stamped.

MR. PHILLIPS. *Q.* Was it this man's business, among other things, to collect the debts due to you for bread? *A.* No, Sir, it was not—he had only to collect that part that he disposed of himself—it was a ready money retail business—it was his business to account to me for all the money he received for bread sold over the counter—he continued in my service up to the morning of the 20th, when he absconded at half-past four o'clock—I never received from him the sum of 3*s.* 3*d.*, as paid by Mrs. Amy Stewart, nor 7½*d.*, as paid by Margaret Hastings, nor 10½*d.*, as received from Mary Collard—these people were lodgers of mine—living in the same house.

MR. CLARKSON. *Q.* When did you become bankrupt? *A.* In December, 1836—I do not know what division was made—it must have realised a good deal—there was a good deal on the property—I do not know what my creditors have received—I have never obtained any certificate—I am trading with the property of the trustees, under the marriage settlement of my wife—they bought in the furniture and effects—they were sold under the fiat—the furniture was sold for 218*l.*, and there was a considerable quantity of flour and things on the premises—my name has always been over the door—there was a notice put up, that the trustees were carrying on the business for my wife and family—I am in possession of the property which they bought for me, consisting of the house, fixtures, and furniture, and goods in the trade, scales, and flour, and they have furnished flour to the amount of 200*l.*, which my creditors could not touch—I was discharged under the Insolvent Act last August—I really cannot tell what the amount of my debts were—I have no idea—this property was not returned, in my schedule, to the Bankruptcy Court—the property was not mine, and how could I return what did not belong to me?—I never asked the prisoner to become my tenant—he was recommended to me by a respectable man—I know what a cognovit, and what a warrant of attorney is—I never asked the prisoner to give me a cognovit, payable at 10*s.* a week—I did not agree to the proposition—I never saw the man since the Thursday they made the proposition, and he ran away—I did not tell the prisoner that a cognovit could not be made, as I had not brought an action—I did not tell my attorney to say so—I did not agree to take any other instrument—there was no other instrument offered me after that—I objected to take it—I never said that I objected to it because I could not obtain the consent of the trustees—I had no reason of the kind—the prisoner called on me two or three times, and we checked the account, and found there was 14*l.* 11*s.* 7*d.*, due from him—I found that every week, at the closing of the weekly accounts—I first ascertained that amount about the 11th of November—there was always a balance every week of 3*l.*, 4*l.*, or 5*l.*—we settled every Saturday—I kept a Dr. and

Cr. account with him—from the time of the commencement I did—I did not agree to take a warrant of attorney, and that he should pay 10*s*. towards it—the man he sent to me talked about it—I did not agree to take the warrant of attorney—he said he would give me a warrant of attorney about the time the 14*l*. was due, but I did not agree to take it—I had not several conversations with him about the warrant of attorney—he might have mentioned it two or three times, when he called to balance the accounts—I do not recollect any conversation about his paying 10*s*. towards the expenses—I cannot swear to it—I do not recollect having any conversation relating to 10*s*.

NOT GUILTY.

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442. SARAH JONES was indicted for stealing, on the 15th of December, 1 pair of boots, value 4*s*., the goods of Charles Walter.

GEORGE SPELLER. I am in the service of Charles Walter, a pawnbroker in High-street, Marylebone. A little after seven o'clock in the evening, on the 15th of December, the prisoner came and pledged with me a pair of woman's shoes—as she was leaving, she took these boots and walked off—I followed her about twenty yards, and brought her back with them under her apron—I knew her before by pawning things.

Prisoner. *Q.* At the time you brought me into the shop, did you say to your master, "This person has the boots?" *A.* Yes—she had got about twenty yards from the shop.

Prisoner. I had not got an apron on—he did not find them in my possession. *Witness.* Yes I did—she had them in her apron, tucked up under her shawl.

GUILTY—Aged 21. Confined Three Months.

ESSEX CASES.

Before Mr. Common Sergeant.

443. JOHN EDWARDS was indicted for stealing, on the 14th of December, 3 sheets, value 9*s*., the goods of George Griff; to which he pleaded

GUILTY. Aged 30.—Confined Six Months.

Before Mr. Serjeant Arabin.

444. CHARLES HALL was indicted for stealing, on the 6th of December, 1 handkerchief, value 3*s*., the goods of Elizabeth Mutimer; and 1 pair of shoes, value 2*s*., the goods of William Firth.

ELIZABETH MUTIMER. I live at Stratford, and am a widow. The prisoner lodged in my daughter's house—I lost a handkerchief from a box in the back attic—he slept in the front—I did not see him in the room—I saw him in my daughter's bed-room, and asked him what he wanted there—he said, "Nothing"—I said he had no business there—the handkerchief was in a box—Firth lodged in the house—he lost his shoes from the lower part of the house—the kitchen or passage—the prisoner had lodged with me very little more than a week—I do not know how he made his living—this is my handkerchief—(*looking at it.*)

WILLIAM FIRTH. I lodge in that house—I lost a pair of shoes—these are them—(*looking at them*)—they were taken out of the lower part of the house.

Prisoner. *Q.* When did you miss them? *A.* The day you were caught in the bed-room—I had not worn these shoes, I dare say, for a week before that.

JOHN BURTON. I am a pawnbroker. I took this handkerchief in of the prisoner.

Prisoner. *Q.* Can you swear, I pledged it? *A.* Yes.

JAMES HAWKRIDGE. I am a policeman. These shoes the prisoner had on when I took him into custody.

GUILTY. Aged 22.—Transported for Seven Years.

KENT CASES.

Before Mr. Recorder.

445. GEORGE HIGGLETON was indicted for stealing, on the 15th of December, 6lbs. weight of bacon, value 2*s.*, the goods of Joseph Peppercorn; to which he pleaded

GUILTY. Aged 30.—Confined One Month.

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446. MARY M'GEAREY was indicted for stealing, on the 11th of December, part of a sofa cover, value 8*s.*, the goods of Charles Woodward. 2nd COUNT, for stealing 4¾ yards of moreen.

CHARLES WOODWARD. I am an upholsterer, and live on Blackheath-hill, in the parish of Greenwich. I lost part of a sofa-cover, made of moreen—it was in my possession on Monday, the 11th of December, and I missed it on Saturday the 16th—I had kept it in my shop—I gave information of my loss at the station-house—I never saw the prisoner, to my knowledge.

ANN ORRIEL. I am the wife of Robert Orriel, a currier in Skinner-row, Greenwich. The prisoner came to my house on Monday, the 11th of December—I said, "What do you want?" she said, "A lady gave me this, will you purchase it?"—it was part of a sofa-cover made of moreen—she offered it to me for two shillings—I said I would not have it—I was folding it up, and she said, I should have it for a shilling—I said I would not have it—as soon as she was gone I picked up two of the rosettes, and went to the station-house—this is the moreen—(*looking at it.*)

Prisoner. *Q.* Do you know any thing of me? *A.* No, I never saw you before.

JAMES BUCHANAN. I am shopman to Mr. Sharpe, a pawnbroker, living in the Broadway, Deptford, a quarter of a mile from Blackheath. On Monday afternoon, the 11th of December, the prisoner came to pledge this moreen—I took in the pledge of the prisoner—it was left with a gown, I think—we lent about 1*s.* 6*d.* on them both—she came on Wednesday, and took the gown out, and left the sofa-cover for 8*d.*—Mrs. Woodward redeemed it by paying the amount—she is not here—I have no doubt this is the same moreen.

Prisoner. I have used the shop for years, and he never knew any thing

wrong of me. *Witness.* She has dealt at our shop—I never knew of her being dishonest before.

BENJAMIN LOVELL (*police-constable R* 15.) On the 16th of December I went to the prisoner's house in Giffin-street—she said she supposed there was something else amiss—I told her to go up stairs and I would tell her—I told her it was part of a sofa-cover—she gave me the duplicate and this rosette, and told me she had bought the duplicate of a woman on Deptford-bridge, but did not know who the woman was.

JAMES BUCHANAN *re-examined.* This is the duplicate I gave the prisoner.

Prisoner's Defence. On the 14th of December I met a woman in the Broad-way, Deptford, who asked me to buy the ticket of a piece of moreen for a sofa-cover not finished, pledged at Mr. Tighes's—I redeemed it, and wished to pledge it again at Mr. Sharpe's—he would not take it—I then offered it for 2*s.*—I took it back to Mr. Sharpe—he lent 8*d.*—when the officer came I gave it him immediately—this is all the truth—I hope you will take me into your consideration, being a poor hard working woman, and my husband a labourer.

GUILTY.* Aged 33.—Confined Three Months.

Before Mr. Justice Williams.

447. JOSEPH PAMPLING was indicted for stealing, on the 30th of December, 1 halter, value 6*d.*; 1 horse-cloth, value 1*s.*; and 1 mare, price 52*l.*; the goods and property of Joseph Manesty.

JOHN TOOMBY. I am coachman to Mr. Joseph Manesty. In December last he had a mare in his possession—I missed her between seven and eight o'clock one morning, when the constable came—I cannot tell the day of the month—it was in December—I do not know the day of the week, but it was last Saturday, I think—I had seen her between eight and nine o'clock the night before, in the stable—I looked into the stable next morning, and she was gone—the horse-cloth and halter were taken away also—I saw the mare again about half-past ten o'clock the same morning, down at Greenwich—the constable had her—I cannot tell his name—I had gone to Greenwich in search of her—it is about three miles from master's premises—the prisoner was in custody of the constable—I knew him by sight before—he had nothing to do with my master at Woolwich—he was in his service at Chelmsford, where master had lived before he came to Woolwich—he had left Chelmsford about fourteen or fifteen months, and had no servants at Chelmsford at the time the mare was missing—the prisoner was not in his service at the time—I do not know how long he had been out of his service, but it was a long time—I have been with my master about three months—he was not in his service during that time—the mare the constable had was my master's—she is worth about fifty guineas.

JOSEPH MANESTY. I live at Woolwich. I heard of the mare being stolen last Saturday, between eight and nine o'clock—the prisoner was not in my employ at that time—I had allowed him to be at my stable to learn grooming, and allowed him 1*l.* a quarter, to give that to his mother—I did that out of charity—he left me last November twelvemonth, and has been in my service since that at all—he had no authority from me to

were both down, and I believe sometimes one was uppermost and sometimes the other—I cannot tell one more than the other.

WILLIAM BROOKES. I was at the public-house, it is in the parish of Deptford—the first thing I saw was Smoker rising off the bench—he said he thought he had had beer enough, and should go home—I then saw Ragan rise off his seat and knock him down instantly—as soon as he recovered a scuffle ensued inside and through the passage, till they got out of doors—I went out with them—Ragan's clothes were then off, and he was stripped to the skin—Smoker had got his smock off—I did not hear any words between them before they fell to fighting—they began to fight directly—Ragan began before Smoker could get his clothes off—he had got his smock off, but not his other clothes, and he had not time to get them off—they fought for a quarter of an hour or twenty minutes, as near as I can tell—they both had seconds—they stopped between the rounds a short time, and then stood up and went on fighting again—after they gave over fighting, I saw Ragan go down the area, and stand there for a time, and come out again—he then went away and went home—Smoker asked me where he was gone to, when he was down the area—I showed him where he was—he said he would go and shake hands with him, and ask him whether he would give up, or what he would do, as he would not give up before—he went, and they shook hands together—Ragan bid him good night, and said he would fight with him again in the morning—I did not see Ragan again alive.

JOHN HAWKINS. I am a surgeon, and live at Peckham, close to Deptford. The Post Boys is in the parish of St. Paul, Deptford—I was called in to see the deceased on Monday—the fight was on Sunday, the 10th—I found him with symptoms of severe injury in the region of the bladder—I did what was necessary, and attended him up to the time of his death, which was on Friday, the 15th—I had some conversation with him on the day that he died—I told him he was dying, and wished him to give me a statement of the occurrence as well as he could recollect—he was at that time in a dying state, and likely to die very shortly—it was perfectly clear to me that he must die—when I told him he was dying, he said, "Oh, yes, Sir, I know I am a *doner*," signifying that he was a dead man—he appeared perfectly sensible that he must die.

Q. Tell us what account he gave of the cause of his death? *A.* He stated he was so intoxicated at the time that he could not recollect the commencement of the affray—I took down his words to this effect—(*reads*)—"Charles Ragan says, on the night of Sunday, the 10th of December, 1837, he fought with Thomas Smoker, and recollects being kicked in the belly—that Charles Palmer and a man named Cowper were present at the fight, and says he thinks they assisted in injuring him, but is not sure who gave him the kick in the belly"—he died either from a kick or blow in the belly—I found the bladder ruptured—he died in two hours after making this statement—I afterwards opened the body and found mortification and rupture of the bladder—there were other injuries, but he died, undoubtedly, from the mortification of the bladder—a kick would decidedly produce the rupture I saw—a person falling on him with his knee might also occasion such a rupture.

Prisoner's Defence. I never kicked or hurt him in any place except with my hands—the same as he did with me.

NOT GUILTY.

Before Mr. Recorder.

455. THOMAS PINFOLD was indicted for stealing, on the 12th of December, 1 ewe, price 25*s*., the property of Thomas Burford.

MR. DOANE *conducted the Prosecution.*

JAMES AUSTIN. I am in the employ of Mr. Thomas Burford, who lives at Hatcham-farm, near New Cross, Surrey. I had the care of his sheep—I counted them over on Saturday, the 9th of December, in the afternoon—there were seventy altogether then—I counted them again about eleven o'clock on the Tuesday morning following, and one was deficient—the prisoner was in the service of Mr. Holcombe, whose grounds join my master's—I saw him in Mr. Holcombe's ground, and called to him—I asked if he had a stray sheep in his flock, as I had lost one—he assured me he had not, and said he had lost one the week before, and I had better look the ditches round—I understood him to say he had found his own sheep near Lee or Brockley—I told master of my loss, and went to a butcher named Smith, in New Cross, next day, with master—I heard master make some inquiry of him, and after that I saw a sheep-skin, with Mr. Burford's mark on it, in Mr. Holcombe's house—master's sheep were marked with a brand on the rump, a "B" in the middle of a circle, and the tar had run—the skin I saw had master's brand-mark on it, I am certain.

Prisoner. Mr. Holcombe has 99 or 100 himself marked with "B" in a ring—he bought them of Mr. Skinner, of Kennington-lane.

BENJAMIN SMITH. I am a butcher, and live at New Cross. In November last, I bought fifty-nine sheep of Mr. Holcombe—I was to take them ten a week—the prisoner was in his service—I used to fetch the sheep—it was not the prisoners' business to bring them, but on the 12th of December he came to me between twelve and one o'clock, and told me he had got a sheep ill, and he thought it had better be killed—I asked him if it was one of mine—he said it was—I said I could not fetch it that day, for I was going out, and could not fetch it till to-morrow—he said he thought it had better be killed—I asked what was the matter—he said it had lost the use of its fore legs, as it kept pitching on its head—he brought it to me in a barrow the same day, all dirty, and three of its legs were tied—he said, "It is no use to untie its legs, as it will not stand"—as I was going out, I killed it in the shop—I asked him if the sheep would not eat—he said, "No, it would eat nothing for the last two days;" but on slaughtering it, I found the stomach full of food, and it was in good health—the prisoner came to me again in the evening, and asked me what I thought the value of the sheep was—I asked him why—he made no answer—I said, "I do not think it worth as much as the others by 10*s*. or 12*s*.," and asked why he asked—he made no reply—I asked him if it was my sheep—he said, "No"—I said why was that—he said it was one he had fetched out of Mr. Holcombe's other fields, that he had lost two of mine last week and brought that instead, and what was deficient in that, he would make good—he said two of mine had strayed away—I was not satisfied with this, and went to Mr. Holcombe next morning to make inquiry—I sent my boy Marlow to Mr. Holcombe with the skin—I afterwards saw the skin when it had been cleansed, and it was marked with a B in a ring—the fifty-nine I bought were not branded in that way—I have killed them all except ten.

Prisoner. *Q.* What were the first words I spoke to you when I came to

you in the evening? *A*. What I have stated—you did not ask me the cause of the sheep's being ill.

Prisoner. I did—I called at your shop—you had just closed it—I said, "What was the matter with the sheep?"—you said you did not see any thing particular the matter with it, and I went and looked at it—did I or did I not? *Witness*. Yes, you did.

Prisoner. I stated to you how I found it, and you told me you would get your partner to take half of it—you came out and touched me with your elbow, and said, "If you have one die you will let me have it, because I may do something with one, if you have one dropped." *Witness*. I did not say so—I said nothing at all about the matter.

Prisoner. He did, as God is my judge—he came outside the door, and talked this over with me—what did I say to you concerning the lambs; did I put any questions to you concerning them? *Witness*. Something, but I do not know what it was now—I did not ask whether I should go to Mr. Holcombe next morning, and state the case of the sheep being ill, to get him to throw something off—I did not say I did not wish him to know any thing about the sheep being ill—nothing of the sort.

Prisoner. On my oath, every word I have stated took place between us—he told me he had an uncle who was in partnership with him, and he would go to him next morning, and ask what he intended to give me, and he said he would go to Mr. Holcombe, and state the cause of the sheep being killed, and he would throw something off. *Witness*. It is false—I said I would tell Mr. Holcombe of it in the morning, and I did go next morning the first thing, and tell Mr. Holcombe of it—I did not say if he had one drop I should be glad to have it.

WILLIAM MARLOW. I was employed by Smith, on the 13th of December, to take the sheep-skin to Mr. Holcombe—I gave it to the housemaid, Eliza Hill.

ELIZA HILL. I am servant to Mr. Holcombe. I received the sheep-skin from Marlow—it is the same skin that Austin and Mr. Burford saw.

THOMAS BURFORD. I saw the skin at Mr. Holcombe's after it had been cleaned, and believe it to be mine—I have no doubt about it—it corresponded with my flock.

COURT. *Q*. Although it corresponded with your flock, was the brand on it so like those on Mr. Holcombe's sheep, that any one could mistake them if the flocks got mixed? *A*. I do not know—mine were all marked on the tail, by the rump, with a B in a round ring—I do not know Mr. Holcombe's mark—he had no mark at all, I believe, on his fed sheep.

Prisoner. If you recollect I brought one home to you, about a fortnight or three weeks ago—it had strayed, and I did not know whose it was—I got it and returned it to you, and you gave me a 1*s*. for doing so. *Witness*. Yes, you did, it was a giddy one—that is a good bit ago.

COURT. *Q*. Are the flocks set to graze near to each other, so that one might stray? *A*. Yes—only the hedge parts them.

WILLIAM HOLCOMBE, ESQ. The prisoner was in my service at this time I—sold Smith fifty-nine sheep—there was no regular brand-mark on any of them—there was nothing like B in a ring on the rump of any of them—nor any mark which could be mistaen for that—I never knew of a sheep being so ill that it was necessary to kill it at once, the first I heard of it was after the prisoner was in custody—the skin that was brought to me was not the skin of any of my sheep.

JURY. *Q.* Among the sheep you sold were there any ewes? *A.* I think there was, but Mr. Smith can tell better than me—the ewes were not marked differently from the wethers.

Prisoner. He had ninety-nine or one hundred in an adjoining field, marked B in a ring. *Witness.* I had another flock marked so, but on the hip, not on the rump, and it was quite a different sort of sheep—nothing like Mr. Burford's sheep—I have some marked with a star on the rump.

ELIZA HILL *re-examined.* I did not look at the skin which I saw.

Prisoner. It was impossible for me to see the mark when I found the sheep, for it had been cast on the hip.

HAMMOND SMITH. I am a policeman. I received this skin from Mr. Holcombe, in the presence of Eliza Hill, and others—it is now in a very offensive state—all the witnesses have seen it.

Prisoner. Smith wished to pay me for the sheep, but I told him not.

BENJAMIN SMITH *re-examined.* I did not propose to pay him for the sheep—I supposed that the next day I should fetch nine—he said nothing about my paying his master—I should have fetched one less next day from Mr. Holcombe.

Prisoner. It was no interest to me to take the sheep—I found it in the predicament it was in, and took it to him for master's benefit—I believe my master was from home all that day, and told him not to pay me—he had before paid me 22*l.* for two fat heifers.

MR. HOLCOMBE *re-examined.* He has received money for me, and paid me.

JURY *to* BENJAMIN SMITH. *Q.* Was the skin in that state that a person would not notice the marks on it? *A.* I had no suspicion that it was not my own.

COURT. *Q.* Supposing the prisoner found the sheep lying on its back, among his master's sheep, was there any thing in the appearance to signify that it did not belong to that flock? *A.* No—unless he discovered it by cleaning the mark he might be deceived, as the sheep was dirty.

MR. DOANE. *Q.* Are you quite certain he told you that the sheep had been ill for two days, and refused food? *A.* Yes.

JURY. *Q.* At this time of year, do sheep very frequently fall on their backs, and get into this state? *A.* I never saw any so—I never saw any ewes so—it is not very often they fall, except a dog worries them—I do not know that it is frequently the case when they are with lamb.

MR. HOLCOMBE *re-examined.* When ewes are heavy with young, and fall, they seldom can get up again very well, but this was not in lamb—they often get cast when they are very near eweing—I never saw one get cast at other times—I have removed two or three that have been cast this winter—they seldom get dirty when cast, unless they fall into a ditch—there are some ditches about, but we have hardly had any wet in them this winter.

Prisoner. I have had twenty cast in a day when I had a large flock—I could have no interest or prospect of gain in taking this sheep to Mr. Smith.

MR. HOLCOMBE *re-examined.* I had 110 fat sheep, originally—I sold about fifty, to a Mr. Young—one of my flock is missing, and if this had been accepted as a sheep, it would have made up the proper number.

Prisoner. The missing sheep was killed, and buried by the man I succeeded—I have every reason to believe that man was the biggest thief Holcombe ever had in his service—it is well known he sold a cow of

Mr. Holcombe's for 9*l.*, in Smithfield-market—he made his accounts up, and Mr. Holcombe, if he will trace his accounts back, will find where he missed the cow in the summer—the man killed the sheep as it had the fly, and since I have been in custody, I believe Mr. Holcombe has seen where the sheep was buried—I have not a doubt the sheep I found was put there on purpose to be sent away with the sheep that were sold, and I have not a doubt but the second sheep, belonging to Mr. Burford, was put on the premises for the same purpose as the first one.

MR. HOLCOMBE *re-examined.* I have found the carcase of one of my sheep, buried—that would have made up the proper number—it appeared to have been in the ground for the last five weeks, I should think—that was before the prisoner came to that situation—he had been at work for me before, in the hay-harvest.

Q. Then what interest could he have to substitute a sheep sold to the butcher? *A.* It appears that Hall delivered to him, on his leaving me, 110 sheep—Hall is the person who lived with me before the prisoner—it was reported to me that Hall had 111 sheep, and when he lost one, he brought forward this one, which he had kept back before, and delivered to the prisoner 110, and one of that 110 is missing—I do not know that he had more than 110, but Hall admits it—I had only bought 110—the prisoner had 110 sheep left in his possession, by Hall—I do not know that this was not one of the 110—I did not see the 110 delivered to the prisoner, but he admits receiving them from Hall—I left home on the 4th of October, and the prisoner came to me three days before—I came home about five weeks after—the prisoner was in possession of the sheep at the time I was absent—Hall counted the sheep over to the prisoner—he is not here.

JURY. *Q.* Had you a good character with the prisoner when you took him? *A.* I had no character at all—he referred me to a person he had been with, but I wished to wait a little before I took him regularly, and never went after his character.

NOT GUILTY.

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456. THOMAS PINFOLD was *again* indicted for stealing, on the 5th of December, 18 trusses of hay, value 36*s.*, the goods of William Holcombe, his master.

WILLIAM HOLCOMBE, ESQ. I live at New-cross. I keep between 200 and 300 sheep, merely for my own amusement—I have about 200 acres of land—the prisoner was my bailiff—I intended to take him as such, but had him a month on trial—he acted as bailiff—he had no authority to sell any hay on my account—nor did he ever inform me that he had sold any—in consequence of his being taken up on the last case, a person from the Rose public-house came and asked if I knew about any hay.

Prisoner. On the Saturday previous to my sending this hay to Harper's, I consulted master about binding out part of a stack of hay, and he thought I had better do it—to bind the whole of the hay out—he told me Mr. Hatton would take all—that he was a man who bought all his bad hay, but he said, "Do you know his price?"—I said, "No"—he said, "He won't give you but 2*l.*, a load." *Witness.* Not a word of the sort passed.

Prisoner. *Q.* Did not I mention to you about the coachman wanting

some hay bound? *A.* Yes, you were to bind out the hay—I desired you to bind out the stump of the stack, and put the best of it into a loft for the carriage horses, and the rest into the cow-house—I did not authorize you directly or indirectly to sell a truss—I had sold Hatton all the refuse hay long ago—I never contemplated selling any of the hay there.

Prisoner. I believe the witness Barrall was present at the time.

Mr. Holcombe. I neither directed him, nor led him to suppose that he was authorized to sell any hay—he had nothing to do with selling hay at all.

William Harper. I live at the Rose, at New-cross. I bought eighteen trusses of hay of the prisoner—they came in on the 5th of December, but he asked me in November if I wanted any, being in the habit of having it of the former bailiff—I said, "What is it a load"—he said, "4*l.*"—I said, "I generally have the middling, I cannot afford so much"—that is about 1*l.*, for a quarter of a load—he said, I should have a quarter of a load for 18*s.*, or half a load for 36*s.*—he brought half a load, and the same night came down to my house with a bill, which I produce—it is in pencil—I paid him 1*l.* on account, and was to pay the rest by Christmas—but when the prisoner got into trouble I thought it right to go to Mr. Holcombe—I only paid the prisoner 1*l.*—my wife paid him, and I promised to pay him the rest between that and Christmas—he said I need not pay any then unless I chose—I said, "I have nothing but a £5. note"—this was on the 5th of December—he signed my book as receiving it—I was never present when Mr. Holcombe and the prisoner were speaking on the subject of hay—I had dealt with the other man (Hall) and thought I might deal with him—I paid Hall for what I had of him.

Mr. Holcombe, (*re-examined.*) The prisoner never told me he had sold this hay of mine—he was taken into custody on the 12th of December—he never paid me any of the money.

Joseph Barrall. I was ordered by the prisoner, on the 5th of December, to take this hay to Mr. Harper—I told Harper where it came from—I work for the prosecutor myself—I know it was his hay—I brought it from Mr. Holcombe's premises—I am his carman—the prisoner desired me to pitch the hay into the cart, and he loaded it—he was my foreman, and I considered he was doing right.

Prisoner's Defence. I never paid master the money, as I only received 1*l.*—I made the bill out in master's name—I have been with him ever since the 2nd of October—I had to buy a few plants and things for the garden, and paid turnpikes for the cart—I have not yet settled with master—when he came home, he asked me about a pig I had in pound, and I was obliged to print bills for it—master asked me about it—I was going to get my pocket-book to show him the account, and he said, "Never mind, we will settle when we have an opportunity"—I paid various things for him, and my bill, I believe, is about 12*s.* 13*s.* or 15*s.* against him—I was allowed to sell apples, and I sold some at 6*d.* a bushel, and some at 8*d.*, and 1*s.* 4*d.*—I owe him money, and he owes me money—I have never settled with him since he came home—he has said, "We will settle it altogether," both what I had sold and what I had bought—I certainly sold the hay, but not with any view to defraud whatever—I believe Barrall was present when master told me about sending the worst of the hay to Hatton.

Joseph Barrall *re-examined.* I was present when Mr. Holcombe told him to rake up the loose hay, and take it into Mr. Hatton's—

that is some weeks ago—he said he was to rake up the loose hay which was lying about, and get it together, to see what there was of it, and have it taken into Hatton's, not to Harper's.

MR. HOLCOMBE *re-examined.* I had sold all the loose hay to Hatton —I had agreed with Hatton to take the whole of it, but the prisoner had nothing to do but to rake it up.

GUILTY—Aged 32.—Transported for Seven Years.

Before Mr. Justice Williams.

457. GEORGE PENN was indicted for feloniously offering, uttering, disposing of, and putting off a certain forged note, purporting to be a note of the Governor and Company of the Bank of England, and called a Bank-note, well knowing the same to be forged, with intent to defraud the said Company.—2nd COUNT, stating his intent to be to defraud Matthew Montague.

MESSRS. MAULE, ADOLPHUS, *and* BULLOCK *conducted the Prosecution.*

MATTHEW MONTAGUE. I am a grocer and cheesemonger, and live in Grove-hill-terrace, Grove-lane, Camberwell. There is a gentleman in the neighbourhood named Ryder—he is an independent gentleman, and lives just below me—I have known him some time—I saw the prisoner at my shop on the evening of the 18th of November, about six o'clock—we had candles lighted—I was sitting at tea in the parlour, behind the shop—he came and asked for change, as we understood at first, for a person named Wright—he came, and held the shop door in his hand, and pushed it back against my desk, holding the hasp in his hand—he put his head in, and asked for change for a £5 note—I thought he said for Mr. Wright—I got up from my table, and walked towards the parlour door, to go into the shop—I said, "Change for who?"—he said, "For Mr. Ryder, a little below"—Mr. Ryder lives in Walworth-place, which is a little below my house—I put my hand into my left hand pocket, and pulled out five sovereigns—he had a £5 note in his hand—it appeared to me a bank-note—I took the five sovereigns from my pocket, gave them to him, and he wrote the name of Ryder on the note—he did it of his own accord—he wrote "Ryder"—nothing else—he took away the sovereigns, and I saw no more of him—I took the note, and marked it with a mark—this is it—(*looking at a note.*)

Cross-examined by MR. PHILLIPS. *Q.* How old are you? *A.* Nearly fifty-five—my memory is pretty good—I am not apt to make mistakes—every man is liable to mistakes, and, of course, I among the rest, but I do not make a mistake in the thing I identify—I do not know that I have made a mistake on this subject.

Q. Did you think you had seen the prisoner before, and take him for another man? *A.* Oh! the face is very familiar to me—I took his face to be one I knew when he came into the shop on the Saturday night—I thought I knew him, but I found out I was wrong—I know his face is very familiar to me—I did not say I thought I knew him.

Q. Do you swear you never said this, "I thought I knew him, but it turned out I was mistaken in the person I took him for?" *A.* I thought it was—this is my signature—(*looking at his deposition*) —*the deposition being read, contained the following sentence*:—"I had never seen him before, but I thought I knew him, but it turned out

I was mistaken in the person I took him for—I am quite positive the prisoner is the man I took it of."

Q. Do you hear that? *A.* Yes—the reason I said that was, because another person's face was familiar to me, and I thought I knew him so well, I did not hesitate in giving him the money—I looked at him very hard, and when I came to see him again, I knew his face again, and it is the very same person I gave the money to—the person I thought it was lives at Walworth—I was mistaken, but the prisoner is the man.

Q. How long after receiving the note did you see the prisoner again? *A.* Why, I saw him at the police-office, before the Magistrate—I do not know how long that was after I changed the note—I suppose it is a month ago that I went up the first time, but I did not set it down—it was on a Tuesday—I recollect that—there was more than a week between the two occasions—I should not think there was a month, but I will not swear it—I will not swear one way or the other—I will swear it was not six weeks.

Mr. Adolphus. *Q.* On your oath, is the prisoner the man that came into your shop on the 18th of November, and changed the note? *A.* Yes—I saw him afterwards at Lambeth-street, and had no doubt he was the man.

Q. It is said you took him for another man, how long did that opinion last in your mind? *A.* Not longer than till I saw him again—when he first came into the shop I took him for one Parsons, but I recollected by looking at him that he was not Parsons—I looked hard at him, as the candle was close by me, and found it was not Parsons—I took more particular notice of him to ascertain whether it was Parsons or not—my boy was in the shop at the time.

Henry Lee. I am servant to Mr. Montague. On the 18th of November I was in the shop when the prisoner came in for change—he opened the door, and I first understood him to ask to change Mr. Wright a £5 note—master got up from his tea-table, came to the door, and said, "Mr. who?"—he said, "Mr. Rider, a little below"—master came round to the counter, put his hand into his left-hand pocket and pulled out five sovereigns—I stood at the further end of the counter—I saw him lay a paper down on the counter—he said, "Shall I write Rider on it?"—master said, "Yes," and while he was doing so, master put five sovereigns on the counter—I did not see what became of the paper—master took it—he did not show it to me—I saw the prisoner afterwards at Lambeth-street, and knew him again.

Cross-examined. *Q.* Did your master go with you to Lambeth-street the first time? *A.* No, he was not there the first time—I think about a fortnight elapsed before I went to Lambeth-street—I will not swear it was not a month—I did not see master do any thing to the note—there was somebody else in the shop at the time, but I cannot recollect who it was—I did not take notice of him—master's niece serves in the shop, and I think she was there, serving a person, but I cannot say whether it was her or master—I did not notice whether the customer was a man or a woman.

Mr. Adolphus. *Q.* Who is it that generally serves in the shop, your master? *A.* Yes—I am the errand boy—master's niece also serves, but nobody else—the parlour is close to the shop—master can hear and come out if any body comes in—we were all in the shop while the prisoner was there—I was standing looking at him at the time—there was a candle on

the desk, one on the counter, and one on a flat—I had a full view of his face—I have always been sure he is the man.

ELIZABETH RIDER. I am the wife of Mr. Rider, of No. 5, Grove-lane, Camberwell—he is a gentleman of property—our house is a little below Mr. Montague's shop—my husband has been confined to his room two months, and not able to transact any business except giving a cheque for rent—I attend to all the domestic concerns.

Q. On the 18th of November, did you or Mr. Rider send any body for change for a £5 note? *A.* We never sent to Mr. Montague for change for a £5 note—we did not deal with him—I do not know the prisoner.

JOSHUA FREEMAN. I am inspector of notes to the Bank. This is a forged note—(*looking at it*)—in paper, plate, and signature.

Mr. PHILLIPS *called the following witnesses for the Defence.*

ANN GARDENER. I am married—my husband is a carpenter. The prisoner is my brother—he never could write.

Mr. MAULE. *Q.* Is he older than you or younger? *A.* Younger—he is twenty-four, and I am twenty-seven—I have been married nine years—I live in the parish of Stepney—before that I lived at St. George's-in-the-East—my brother was living at home at the time I was married—he was about fifteen then—I was seventeen in September, and was married on the 30th of November—my brother lived at home with his mother when I was married—we have no father—my mother goes out washing and charring—the prisoner was living with her, but went to work as shop-boy till he got older—he then belonged to the *Dundee* steamer—he was steward's servant, I believe, or something—I cannot exactly recollect when he came into that situation, but he has left it about two years and a half, and was about a year and a half on board—since that, he has followed the cigar-making, but I have not seen him much—I have seen him backwards and forwards at my house—he lived with his mother down to the present time.

Q. Did you go to any school yourself? *A.* I did—it was only a petty dame school—a woman's school—I was not there very long—I dare say about a quarter of a year—I learned plain reading and spelling—I did not learn writing—I learned pothooks and hangers—I did not get to round hand, nor to A. B. C., for my father died when I was young, and it was not in my mother's power to give me much schooling—I learned to read and can read, but I cannot write—I did pothooks and hangers on a slate—I stopped between that and A. B. C.—I then went to work.

Q. Did your brother go to school? *A.* He might have gone one or two days a week to an old woman's school—a dame's school—he did not do so above two years, if he did so much—it was before he was ten years old—he cannot read at all—I am confident he never had the least knowledge how to make a letter—I never knew him able to read the name of a street—I do not believe he knows his A. B. C.—he never took to his schooling—he never liked school—he went into service when he was ten years old, as my father died—he follows cigar-making now—I do not know where he is employed—I never interfered to ask him—he lives with my mother, at No. 12, John-street, Commercial-road—my mother is a lodger there—his business occupies him the principal part of the day as far as I know—I have no idea where that is.

MR. PHILLIPS. *Q.* If I understand you right, you live with your

husband? *A.* Yes—I have no family—I have buried them—my brother called on me occasionally—I never asked him what shop he worked at.

COURT. *Q.* Where were you married? *A.* At Shoreditch church—I made my mark there—I could have brought my certificate if I had thought of it.

WILLIAM SIMPSON. I am collecting-clerk to a coal-merchant. I have known the prisoner about ten years—I should say he cannot write, from circumstances which I know.

MR. ADOLPHUS. *Q.* What has he been in the ten years you have known him? *A.* I can hardly tell—I should call him a smuggler—a dealer in contraband goods, cigars, and brandy—in the general smuggling line—I do not know that they are smuggled, but I imagine so—he may have done other things during the ten years, but I have purchased cigars of him—I do not know of his being in the employ of a cigar manufacturer—he used to serve customers—I did not know him as a servant at shops—I do not know his mother, I know his sister—he did not live at her house at all, that I know of—I do not know her house—I do not know her husband, nor what he is except from what I have heard.

Q. Pray have you known the prisoner within the last two years and a half, dealing in brandy and things? *A.* Yes—I heard of his being under steward of a steam-boat—I do not know it of my own knowledge.

Q. I suppose the under-steward of a steamer ought to know how to read and write? *A.* I do not presume to give my opinion on that, but I know he cannot—he cannot read the newspaper—he has asked me to read it to him a dozen times or more, especially within the last two years—I have seen him the last two months—I cannot tell what he has been in that time—I really do not think he can tell B from O, from his ignorance—I can tell you an instance.

Q. Have you known him in all the time doing any thing to gain an honest livelihood? *A.* No; except dealing in cigars—I believe he got them from stewards of steamers—I am collecting-clerk to Mr. Morris, of Sun Wharf, Ratcliff, and have been so fifteen or eighteen months, constantly in his employ, and am so at the present moment—it is quite by accident I am here—I came to collect money in the Old Bailey, and saw Mr. Kelly, the attorney for the defence, who requested me to come in—I came to collect from Mr. Smith over the way, and at the Dolphin, on Ludgate-hill— I have the Dolphin bill in my pocket—it is my master, Mr. Morris's bill—(*producing it*)—I was at Lambeth-street when the prisoner was under examination.

Q. Did you say any thing to the Justice about his being unable to read or write? *A.* I had no occasion to do that—I went there for my own pleasure, on that occasion, to hear the evidence which would be adduced against the prisoner—I know some of his acquaintances.

MR. PHILLIPS. *Q.* You were going to give an instance by which you know the prisoner could not read or write? *A.* Yes—on one occasion he asked me to write a letter for him—that is about six, seven, or eight weeks ago.

MR. ADOLPHUS. *Q.* Was it before or after the 18th of November? *A.* I should say it was previous to that.

COURT. *Q.* How often have you read a paper for him within the last two years? *A.* I recollect one case, particularly, about two men being charged at the Thames police-office with smuggling—one of them was sent

for three months imprisonment, and he asked me to read the particulars to him —that is about six months ago—I should say he had asked me to read the paper to him half a dozen times within six months—he came to a public-house I used in an evening, and when he wanted to know the particulars I read it to him—on another occasion he gave me a stamp, and said it might be of service to me—I said, "What stamp is it, 1*s.* 6*d.*, or what?"—he said, "I don't know"—I took it up, and looked at it, and he said, "Look at him, he is looking if it is a *January* one," instead of a genuine one.

JAMES LINDON. I am a turnkey in Clerkenwell prison. The prisoner was there on this charge, and, in the course of his imprisonment, he asked me to write a letter for him, which I did, as he said he could not write himself.

COURT. *Q.* That was after the charge was made against him? *A.* About a fortnight ago.

MR. PHILLIPS. *Q.* Do you know was it before or after he was before the Magistrate on this charge? *A.* I think it was before the last examination.

MR. MAULE. *Q.* How long have you known him? *A.* Not till he was in custody at the New Prison—I never saw him before he was sent there for this offence—it was after he was examined and remanded he asked me to write the letter—it was directed to Mr. Kelly, a solicitor—I never saw him in the prison before, to my knowledge—I cannot swear it—I might have seen him—I see some hundreds in the course of a year.

MR. PHILLIPS. *Q.* Have you any favour or affection for him? *A.* None whatever, one man is the same to me as another.

MR. MAULE. *Q.* Is it not part of your duty, as turnkey, to know the prisoners? *A.* It may be—I have been turnkey ten years—it is part of our duty to know the faces of prisoners—I should say that I never saw this man before, but I see so many hundreds.

Q. Are you ready to swear he was not in your custody last May, in Clerkenwell? *A.* I should say I never saw him before, but I will not swear it.

MR. PHILLIPS. *Q.* Is this the letter you wrote for him?—(*producing one.*) *A.* It is—I should think I have seen 14 or 15,000 prisoners in the prison since I have been there.

JAMES WINSON. I am a dyer. I have known the prisoner eight or nine years—to the best of my knowledge he can neither read nor write—I have read newspapers for him many times.

MR. ADOLPHUS. *Q.* What has he been? *A.* A vender of cigars, for himself principally, I believe—he has been on board the *Dundee* steamer as second or third steward—he may very probably have dealt in brandy and other things—I cannot say to the contrary—to the best of my knowledge I believe he has—I have purchased cigars of him—I have known him offer brandy for sale—I never learnt from him how he got the brandy and cigars, but I believe they were smuggled principally—I should not think it necessary for a steward on board a steamer to be able to write—I never knew the prisoner read or write in my life—I live at No. 2, Bell-wharf, Shadwell—I have lived there seven or eight years—I am a master dyer—I always heard that the prisoner lived with his mother—I have seen him at his mother's when she was in lodgings—I never knew him living in School-house-yard, Whitechapel—nor any place of that kind.

COURT. *Q.* How many people have you in your employ? *A.* Only one.

MR. MONTAGUE *re-examined.* *Q.* Do you remember at Lambeth-street any person telling you that the prisoner could not write? *A.* Not at the office—it was when I was down at the Flying Horse—it was not said to me particularly, but I believe it was this person (Simpson) said so—that was the same day, but after I was at the office—he *expressed* the same *antidote* about the bill *January* or *genuine.*

GUILTY. Aged 24.—Transported for Life.

Before Mr. Recorder.

458. WILLIAM JENNINGS and ANN COLWELL were indicted for assaulting Mary Ann Matthews, on the 27th of December, at St. George the Martyr, Southwark, and robbing her of 1 shawl, value 2*s.*; ¾ of a yard of silk, value 2*d.*; 1 purse, value 2*d*; and 2*s.*; the goods and monies of George Matthews; and immediately before and at the time of such robbery beating and striking her.

MARY ANN MATTHEWS. I am the wife of George Matthews, and live in Pitt-street, Old Kent-road. I was at the Bull public-house, in the Dover-road, on the 27th of December—both the prisoners were there with other people—I left the house about a quarter past seven o'clock—I was rather the worse for liquor—I had sufficient recollection to know what happened—the private door of my house is in William-street—the front door goes into Pitt-street—when I got to my door in William-street, I observed the prisoners, but not till they struck me on the head—Jennings came up and struck me first on the head with his crutch—(he is lame, and walks with a crutch)—it broke the comb in my head—he then put his hand into my pocket, and took out 2*s.* in my purse; and he took a piece of silk out about three quarters of a yard, which I used for a handkerchief—the woman took the shawl off my shoulders at the same time—they went away afterwards, but I was so frightened I scarcely knew where they went—I ran in doors, and screamed out, as I was so frightened—I had known the woman sometime before by sight, but never saw the man before—I dare say they were half an hour in the public-house before this happened—I saw my piece of red silk and shawl again at Union Hall.

Jennings. *Q.* Did you not give me the handkerchief off your neck? *A.* I never saw you before—I never gave you the silk—you did not pawn your own handkerchief to get beer with for me.

Colwell. *Q.* Did you not give me the shawl off your neck to pawn? *A.* I never did.

JOHN COLES. I am a policeman. I was on duty in Dover-road, on Wednesday evening, the 27th of December, about seven o'clock, and saw the prosecutrix come out of the Bull, rather the worse for liquor, followed by the two prisoners—I asked Colwell if she knew where the prosecutrix lived—she said she lived at No. 5, Pitt-street, Old Kent-road—that was correct—she did not say why she was following her—there were two other persons with the prisoners—they left them at the Sunday toll—the prisoners continued to follow her to the end of my beat, in the New Kent-road—that was not above one hundred yards from where she was robbed.

THOMAS WATKINS (*police-constable N* 174.) I apprehended Colwell, at Mrs. Ann's-place, Kent-street—I said, "Ann, I want you"—she said

"Oh, *Crutchey* is coming"—the male prisoner is called *Crutchey* about the street—I said I want you for robbing a woman in Pitt-street, and asked where the shawl and purse were—she said she knew nothing about the purse, but the shawl was pawned at the top of Kent-street, in the name of Johnson, for 1*s.*—I went there and found it.

SAMUEL HOBELL. I am a pawnbroker, and live in White-street, St. George's. I produce a shawl, which was pawned on the 28th of December, in the name of Ann Johnson, 7, George-street—I cannot positively swear who by.

JOHN CALLINGHAM. I am a policeman. I apprehended Jennings on Friday the 29th, at the Black Horse, Kent-road, in the tap-room—I beckoned to him, and told him I wanted to speak to him, and said, "I suppose you have heard what for?"—he said, "Heard what?"—I found this piece of silk round his neck, which the prosecutrix claims.

MARY ANN MATTHEWS *re-examined.* This is my piece of silk, and the shawl is mine, and the same I lost in company with the prisoners.

Jennings. She gave me the piece of silk to put round my neck, while she sold my own handkerchief to get liquor. *Witness.* There is no truth in it—I did not allow him to have it in exchange for pawning his handkerchief—he took it out of my pocket.

Colwell. She took her shawl off her neck, and gave it me to pawn. *Witness.* I never did.

JENNINGS—GUILTY.† Aged 19.
COLWELL—GUILTY.† Aged 21.
} Transported for Fifteen Years.

Before Mr. Serjeant Arabin.

459. JOHN JUSTICE was indicted for embezzlement.

MICHAEL ROBERT JENKINS. I am a publican, and keep the Castle, in the Kent-road. The prisoner was in my service for a short time—I believe ten days—he took out beer and received the money for it—it was his duty, if he received money, to give it to me—he used to account to me every night—I hired him by the week—his week ended on Wednesday—he left me on a Saturday without any notice—I had a customer of the name of Ann Roberts.

ANN ROBERTS. I deal with Mr. Jenkins—I know the prisoner by being his servant—on Saturday afternoon, between four and five o'clock, I paid him 2*s.* which I owed him.

MARTHA SELDEN. On Saturday week, the 23rd of December, I paid the prisoner 2*s.* for beer for his master.

WILLIAM WILLIAMSON. I reside next door to the prosecutor—the prisoner has been in the habit of bringing beer to me—he came in and inquired for my young man, and said he owed him for a pint of beer—I said he was not at home, but he would not be long—he said he intended to leave his master and take what money he could get with him—I went and told Mr. Jenkins of it.

Prisoner. You told me he had left the place and ran away. *Witness.* No, I did not—I said he would be in shortly.

THOMAS WATKINS (*police-constable M* 174.) I took the prisoner in charge.

MICHAEL ROBERT JENKINS. The prisoner never accounted to me for either of these sums of money—I think his wages would have amounted to 6*s.* 10*d.*

Prisoner. I ought to have ½d. a pot on all the beer I take out on Saturday—I could not get my debts, and I ran away on the Sunday—I went to try to make some arrangement and he gave me into custody.

GUILTY. Aged 19. Confined Three Months.

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400. JOHN HENRY NIXON was indicted for stealing, on the 15th of December, 7½ yards of silk, value 1*l.*; 27 yards of linen cloth, value 1*l.* 17*s.*; 22½ yards of merino, value 3*l.* 7*s.*; 4 pairs of stockings, value 18*s.*; 48 yards of calico, value 14*s.*; 1 cloak, value 1*l.* 3*s.*; and 1 shawl, value 5*s.*; the goods of Thomas Maddison White.

MR. DOANE *conducted the Prosecution.*

THOMAS MADDISON WHITE. I am a linen-draper, and carry on business in Blackman-street, Newington-causeway. Two or three days previous to the 1st of December, a person of the name of Parnell or Morton, presented himself to me as shopman, and I directed a letter to a person of the name of Hadwen, at Seven Oaks—I have not seen it since—I received an answer, and took Morton into my employ as shopman—I missed a vast quantity of property about the 16th—I have since seen a portion of those goods—we missed on the 16th one shawl and a piece of linen—they were all gone by the 16th—I had some conversation with Morton about the loss—he accompanied me to No. 9, York-street, Westminster, very late at night—I found the prisoner there—I had not seen him before—when we arrived there Morton asked the prisoner where Mr. White's goods were—he denied all knowledge of it—Morton said he had told all, and the prisoner went up stairs and brought down four duplicates—they refer to property, part of which has been restored to me, and Nixon said he would send me other portions of the property—I afterwards received a packet containing other portions of the property, which is here, to the value of about 11*l.* or 12*l.*—the amount missed was about 40*l.*—I went again to Nixon to try to get more property back—he promised, but did not perform—I had held out no promises of pardon whatever to Nixon.

Cross-examined by MR. CLARKSON. *Q.* What day did you first receive any thing back? *A.* On the 18th—I gave the prisoner into custody on Tuesday or Wednesday, the 19th or 20th—I had not given Morton into custody before that—I got the information from Parnell or Morton, by promising to forgive him—there are marks on these two handkerchiefs, and on this piece of silk—it has been in my house at least three months—it is a remnant of about 7½yds.

ELIZABETH POULTER. I reside with my parents at Seven Oaks; they keep the post-office. I remember seeing the prisoner once or twice last month—he came and inquired for a letter for Mr. Hadwen, of Seven Oaks—I found one corresponding to the direction, and gave it him—I never heard of such a person as Mr. Hadwen, a linen-draper there.

Cross-examined. *Q.* Is it your business to attend to the letters? *A.* Yes, in part with my father—I have done so for the last six months—I have lived there all my life—a good many persons come for letters in the morning, but not many strangers—we have nothing like 150 or 200 persons in a day—I should think not more than a dozen whose faces I do not know come in the course of a day—I do not know that I ever saw Nixon before that—I was asked about it about a fortnight after the occurrence took place—I was brought to town and saw the prisoner at Union Hall—he was not pointed out to

me there—he was brought out into a little yard, with several others—I did not express a doubt about recollecting him, when I first saw him—I do not recollect that I said I did not know he was the person—I did not at first recognise him to be the person, but afterwards I did—I expressed a doubt when I first saw him, and afterwards went to see another person, who turned out to be Morton, but not for the purpose of recognising the prisoner.

MR. DOANE. *Q.* Have you the slightest doubt that the prisoner is the person who came for the letter? *A.* I am quite positive of it—there were full twenty persons when I first saw Nixon at the hall.

ALFRED PARNELL. I applied to Mr. White to be taken into his employ—I think it was on the last day of November—I saw Nixon after that, and it was arranged that Mr. White was to write to Seven Oaks for my character, to be addressed to Mr. Hadwen—the letter was to be fetched by Mr. Nixon, and he was to write the answer to it; and when it was written I was to endeavour to get the situation by the character—I got into Mr. White's employ before the answer came, I believe—on the 15th of December, when the rest of the men were gone to dinner, the prisoner Nixon came to Mr. White's shop and brought an empty bag, and when he took it away it was full of Mr. White's property—the whole of the property produced went on that day.

THOMAS GREATWOOD. I am a messenger at the Queen's Bench. On Monday, the 18th of December, I saw the prisoner Nixon—he gave me a parcel to take to Mr. White's, and I delivered it there.

LEWIS ENSOLL. I am in the employ of Mr. White. I received the packet from Greatwood that day.

ROBERT UPTON. I am a police inspector. The prisoner was taken by my direction—I went to Seven Oaks, but could find no person there of the name of Hadwen.

GUILTY. Aged 30.—Transported for Seven Years.

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461. WILLIAM JONES was indicted for stealing, on the 16th of December, 1 bag, value 1*d.*; 10 half-crowns, 40 shillings, 87 sixpences, 84 pence, and 21 halfpence, the goods and monies of Robert Roper Clarke, in his dwelling house.

ROBERT ROPER CLARKE. I am a wharfinger. My dwelling-house is in St. Mary Overy Dock, in the parish of St. Saviour, Southwark. Between twelve and one o'clock, on the 16th of December, I laid this money on my desk—I had just been and received a balance of wages—I had upwards of 5*l.* in silver, some loose halfpence, and three 5*s.* papers of halfpence—the silver was in a canvas bag, in the counting-house—it is my house—I was loading a wagon, and giving directions to the men what flour to put into the wagon—I was not so far from the counting house as I am from the prisoner now—a person said a man had gone into the counting-house—I went, and met the prisoner coming out—I said, "What are you doing?"—he said, "I merely came to see what o'clock it was"—I looked over, and missed the halfpence—he ran away, I ran after him, and *sang* out, "Stop thief"—he saw three men coming to meet him, through some posts, and he turned into Mr. Burford's yard, and I close after him—he threw out two papers of halfpence—one a white sugar paper, the other a grey paper—they hit me—I still pursued him—round a

ever he thought to get out—he threw out another paper, and the bag of silver—we still pursued him, and caught him—sent for the policeman, and then the money was picked up—this is the bag—(*looking at it*)

John Cooper. I am a policeman. I picked up the halfpence in the yard—some loose, and some in a paper—I picked up the bag near the coal-hole, in the yard, where the prisoner was detained—there was nearly 5*l.* in silver.

Henry Thomas Peach. I saw the prisoner run up the yard, and throw some copper out of his hand.

Prisoner. There were several persons running—I ran after the man, but did not *chuck* away the halfpence—it is all false.

GUILTY. Aged 34.—Transported for Ten Years.

Before Mr. Common Sergeant.

462. WILLIAM BEDFORD was indicted for stealing, on the first of January, 1 cap, value 1*s.* 10*d.*, the goods of John Zachariah Stewart; and that he had been before convicted of felony.

Matthew Cook. I am foreman to John Zacharia Stewart, living at No. 1, Blackman-street, Southwark. I attend the shop—there are hats and caps there—on the 1st of January I saw the prisoner in company with another—I saw the other lad put his hand on some caps—I did not see him take one, but supposing one had been taken, and given to the prisoner, I pursued them—I saw the prisoner throw this cap away which had been inside the door just before, and a policeman took him—this is the cap.

William Parnell (*police-constable M* 128.) I saw the prisoner running—he threw the cap away—I knocked him down, and took him.

Robert Rosman (*police-constable M* 158.) I produce the certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the lad.

GUILTY. Aged 17.—Transported for Seven Years.

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463. ANN COLEMAN was indicted for a misdemeanor.

Mr. Chambers *conducted the Prosecution.*

James Pamplin. I am an apprentice to Thomas Pewtress, a stationer, living at No. 67, Newington-causeway. On the evening of the 19th of December, the prisoner came and asked for a pen, or a sheet of writing-paper, I forget which—she gave me a shilling—I gave her 11*d.* change—I had some doubt of the shilling before I gave change, and showed it to a person, but I gave her change, and put the shilling into the corner of the till—I took it out directly after she was gone, and gave it to Mr. Fenner—he afterwards gave me the shilling at the office—I saw her again on the 21st of December, at a quarter to nine o'clock, when she asked for a sheet of writing-paper—I served her—she threw down a shilling—I went to Mr. Fenner, and he went for a policeman—I gave the two shillings to Mr. Fenner—he has not given them to me back.

Rest Fenner. I am son-in-law of Mr. Pewtress. I recollect the prisoner coming to the shop on the 19th—I am certain it was her—after she left the shop, a shilling was given to me—I wrapped it in a piece of paper, and at the office I gave it to Pamplin—on the 21st she came again [illegible] policeman—on that occasion Pamplin gave me a shilling—I

gave the same to the policeman—it did not go out of my hands till I gave it him.

EDWARD FARRAGE. I am a policeman. I was called to go to Mr. Pewtress—I took the prisoner, and received the shillings from Mr. Fenner.

ANN PITTOCK. My husband keeps a baker's shop, at No. 2, Amelia-place, Walworth-road. On the 21st of December, the prisoner came about three o'clock, and purchased a penny raspberry-puff—she gave me a bad shilling—I said it was bad, and she gave me a good sixpence—I gave her change—I gave the bad shilling to my nephew, and he cut it, and has got it now, I believe—she wanted the shilling, but I would not let her have it—she said she took it at a grocer's shop, on the other side of the way, but she could not give the name—I gave her one of my cards, and told her to take it there, and he would know me very well, and to get a good shilling, if she could, or they might come to me, and get the bad one returned—neither the grocer nor the prisoner came.

HENRY BROWN. I am the nephew of the last witness. She passed the shilling to me, which she took of the prisoner—this is it—(*looking at one.*)

JOHN FIELD. I am inspector of coin to Her Majesty's Mint. These three shillings are all counterfeit—the two first are from one mould—the other is from a different one.

GUILTY. Aged 22.—Confined Two Years.

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464. EDWARD READING and JOHN MOODY were indicted for a misdemeanor.

MR. CHAMBERS *conducted the Prosecution.*

JAMES BROOK (*police-constable L* 118.) On Saturday, the 30th of December, I saw the two prisoners at the corner of South-street, Lambeth, between one and two o'clock in the day—I watched them, and saw Reading go into a little grocer's shop—I went in when he came out, and made some inquiries—he joined Moody again—I followed them, and saw Reading go into Mr. Evans's beer-shop—after he left, I went in, and made some inquiry—I did not get a sixpence there—I left it there—I again followed the prisoners, and saw Reading join Moody, and go through Allen-street—I saw Moody give Reading something resembling a sixpence, and leave him—Reading stopped a few minutes, and put his arm on a post—he then went into a shop, and purchased an egg—I saw him come out, with the egg in his hand—I went into the shop, and Elsom gave me this sixpence—I then followed the prisoners to the Marsh-gate—I met Cole, another constable—he took Reading, and Moody ran away—I pursued him, and took hold of him—I observed something in his mouth—I laid hold of his throat—we both fell to the ground, and he spat out two sixpences, which I have got here—he was searched at the station-house, and I found five good shillings, and 9¾*d.* in copper, on him.

SARAH EVANS. My husband lives at No. 39, North-street, and is a wine and spirit merchant—I keep a beer-shop. On the 30th of December, I saw Reading there—he had half a pint of ale, which came to a penny—he gave me a sixpence—I put it into a saucer, with another sixpence and one shilling—after he left the house, the policeman came in—I looked at the sixpences, and found one was a bad one—I gave it to the policeman Goff.

SARAH ELSOM. I am servant to Mrs. Dublain; she keeps a chandler's shop in Royal-street, Lambeth. On the 30th of December I saw Reading there—he bought an egg, and gave me a sixpence—I put it into

the till, and there was no other sixpence there—I gave him 5*d.*—soon after he had gone the policeman came in, and I gave him the sixpence that Reading gave me.

Moody. *Q.* Did you not tell the inspector that you thought this man had my handkerchief on? *A.* Yes, I did.

WILLIAM COLE. I am a policeman. I took Reading, and found on him an egg, sixpence in copper, and a fourpenny-piece.

CHARLES BURGESS GOFF. I am a police-sergeant. I received a sixpence from Sarah Evans, which I now produce.

JOHN FIELD. These sixpences are all counterfeit, and all four from the same mould.

READING—GUILTY—Aged 20. } Confined Two Years.
MOODY—GUILTY—Aged 21. }

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465. JOHN SMITH and JAMES SMITH were indicted for embezzling and stealing, on the 7th of December, the sum of 9*s.*, which they had received as servants to, and on account of, David Nicholson and others, their masters.—2nd COUNT, for stealing, on the same day, 18 bushels of coke, value 9*s.*, the goods of the said David Nicholson, and others, his masters; to which

JOHN SMITH pleaded GUILTY. Aged 26.
JAMES SMITH pleaded GUILTY. Aged 29.

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466. JAMES SMITH was *again* indicted for embezzling, on the 11th of December, the sum of 13*s.* 6*d.*, which he had received as servant to, and on account of, David Nicholson and others, his masters.—2nd COUNT, for stealing, on the same day, 27 bushels of coke, value 13*s.* 6*d.*, the goods of the said David Nicholson and others, his masters; to which he pleaded

GUILTY. Aged 29.—Confined One Year.

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467. JOHN SMITH was *again* indicted for embezzling, on the 1st of December, the sum of 9*s.*, which he had received as servant to, and on account of David Nicholson and others, his masters.—2nd COUNT, for stealing, on the same day, 18 bushels of coke, value 9*s.*, the goods of the said David Nicholson and others, his masters; to which he pleaded

GUILTY. Aged 26.

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468. JOHN SMITH was *again* indicted for embezzling, on the 27th of November, the sum of 13*s.* 6*d.*, which he had received on account of David Nicholson and others, his masters.—2nd COUNT, for stealing, on the same day, 27 bushels of coke, value 13*s.* 6*d.*, the goods of the said David Nicholson, and others, his masters; to which he pleaded

GUILTY. Aged 26.

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469. JOHN SMITH was *again* indicted for embezzling, on the 8th of December, the sum of 1*s.* 8*d.*; and on the 15th of December, the further sum of 1*s.* 8*d.*; and on the 18th of December, the further sum of 1*s.* 8*d.*, which he had received on account of David Nicholson and others, his masters; to which he pleaded

GUILTY. Aged 26.—Confined Two Years.

ADMIRALTY CASE.

470. JOHN LEGGATT and JAMES NESBITT were indicted for feloniously killing and slaying Joseph Brown, to which they pleaded GUILTY.—Confined Two Years.

The following prisoners upon whom the judgment of the Court was respited at former Sessions have been sentenced as follows:—

FREDERICK HAYWARD, (First Session, page 28,)
Transported for Seven Years.

JAMES SKELLY, (First Session, page 62,)
Confined Four Days.

AMELIA WEST, (First Session, page 80,)
Transported for Seven Years.

NATHAN TYSON (Second Session, page 223,)
Confined Three Months.

ADJOURNED TO MONDAY, JANUARY 29TH.

CENTRAL CRIMINAL COURT.

COWAN, MAYOR. Fourth Session.

A star (*) denotes that the prisoner has been previously in custody—An obelisk (†), that the prisoner is known to be the associate of bad characters.

LONDON AND MIDDLESEX CASES.

OLD COURT.—*Monday, January 29th*, 1838.

First Jury, before Mr. Recorder.

471. ELLEN HEMBRY was indicted for stealing 2 blankets and 2 pillows, value 10*s*., the goods of Sarah Maria Rodger; to which she pleaded

GUILTY. Aged 45.—Confined Seven Days.

(The prisoner received a good character.)

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472. JAMES CAREY was indicted for stealing, on the 23rd of December, 1 handkerchief, value 3*s*., the goods of Peter Young, from his person.

Thomas Blossett. I am a constable of Covent-garden-market. On the 23rd of December, about half past twelve o'clock, I was at Buckingham Palace—I saw the prisoner, in company with another—I watched them, and when the Queen left the Palace I saw them go behind Mr. Young—the prisoner took the handkerchief out of his pocket, and I saw him put it into his own jacket pocket—I saw him go behind Mr. Young, and take the handkerchief from Mr. Young's coat pocket, I am certain—it was from his coat pocket—Mr. Young had his hat on at the time—when the prisoner took it from Mr. Young's pocket he put it into his own—I took him into custody, and took the handkerchief from his pocket—I then called Mr. Young, who claimed the handkerchief.

Cross-examined by Mr. Doane. *Q*. You were not on duty that day, were you? *A*. I was in the Park merely as a spectator—there was a great crowd of persons—I was right at the prisoner's back, quite close to him—I was the next person to him, and to the other man—I saw quite distinctly what both did—the other man was taken, but the bill was thrown out against him—I took the prisoner, and a police-constable took the other—the other man was close by, and from what I told the policeman on duty, he took him.

Q. You were closely packed together, were you not? *A.* No, about three deep—I cannot be mistaken in what I saw—I am positive the handkerchief did not fall down—the prosecutor was not cheering, nor was I, for I was watching the prisoner—I saw him attempt several other pockets before—the prisoner was not cheering.

COURT. *Q.* Have you any doubt of seeing him take it from the coat pocket? *A.* None at all.

GEORGE THORNTON (*police-constable E* 91.) I took the other man—I was watching the prisoner for three quarters of an hour previous, in company with Blossett—I saw first one and then the other go behind several gentlemen's pockets, and *sound* them—at the time the Queen left the Palace I saw the prisoner run behind Mr. Young, and take the handkerchief from his pocket—Blossett took him, and I took the other.

PETER YOUNG. I am a sugar-planter, and live at No. 5, Wilmington-square, Spa-fields. I was in the crowd, near Buckingham Palace—I was not aware of my handkerchief being taken, till the officer spoke to me—when the officer gave me information I felt in my pocket, and missed it.

Q. Was the handkerchief produced by the officer the same as you lost? *A.* As far as I can recollect, but I have no mark on it—the pattern is something similar—I could not swear to it, there are so many alike—I had not any handkerchief in my pocket which did not belong to me—the one I had was my own—when the officer spoke to me I had no handkerchief in my pocket.

Cross-examined. *Q.* Did you put your hand to your pocket? *A.* Not till the officer told me—I was a little excited at seeing her Majesty pass—I will not swear that I had not put my handkerchief into my hat—(*looking at the handkerchief*) the pattern is something similar—most of my handkerchiefs are marked, but this is not marked—my handkerchiefs are square, and this is not—it is oblong—I will not swear to it.

Q. Do not you believe it is not your handkerchief? *A.* I cannot swear whether it is or not—it may, or may not be—my handkerchief was equally long either way—I will not swear that this is my handkerchief—I cannot swear decisively it is not mine—mine was a square one, and this is not square—it may not be mine, certainly.

COURT. *Q.* You claimed it at the time as yours? *A.* I claimed it as being like mine—I said it was the one I had lost, but I was in a state of excitement at the time.

(The prisoner received a good character.)

GUILTY. Aged 25.—*Recommended to mercy, on account of his good character.*—Confined Six Months.

OLD COURT.—*Tuesday, January 30th,* 1838.

Second Jury, before Mr. Recorder.

473. JOHN CARROLL was indicted for stealing, on the 10th of January, 1 box, value 6*d.*; and 28lbs. weight of raisins, value 13*s.*; the goods of John Thorpe and another; to which he pleaded

GUILTY. Aged 23.—Confined Three Months.

474. WILLIAM ROBINSON was indicted for stealing, on the 1st of January, 1 table-cover, value 15*s.*, the goods of Charles Augustus Didier Montigney; and also for stealing, on the 30th of December, 1 table-cover, value 15*s.*, the goods of Charles Augustus Didier Montigney; to which he pleaded

GUILTY. Aged 51.—Confined Three Months.

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475. WILLIAM BENNETT was indicted for stealing, on the 12th of January, 1 coat, value 5*l.*; 1 saddle, value 10*s.*; and 2 whips, value 5*s.*; the goods of Edmund Johnston.

MARK HAYTON. I am coachman to Mr. Johnston, of Winchmore-hill. On Thursday evening, the 11th of January, when I went to bed, I had my livery coat safe in the stable—the door and window were secured—I went to bed between nine and ten o'clock—when I got up in the morning my coat was gone, also two saddles, and two whips from the stable—I have since seen the articles—these are them—(*looking at them*)—they are all here except one saddle.

ABRAHAM GORE. I am gardener to Mr. Johnston. On the morning of the 12th of January I found the stable-door a-jar, and the window open—the coachman sleeps over the stable.

JAMES WINGFIELD. I am a saddler, and live at No. 75, Long-lane, Smithfield. On Friday morning, the 12th of January, about half-past eight o'clock, the prisoner brought this saddle and two whips, and offered them for sale—I asked him where he got them from—he said his master, Mr. Haynes of Croydon, gave them to him—I suspected they were not his, and detained him—Long-lane is about seven miles from Winchmore-hill.

EDMUND JOHNSTON. I live at Winchmore hill. I know this coat to be my servant's livery coat—he wore it on the Thursday—I came to town that day, and he returned alone, leaving me in London—he would get back in about an hour and a quarter—he left me in Camden-town—I lost two saddles, but only one is forthcoming.

CHARLES BURGESS (*City-policeman No.* 25.) I was called into Mr. Wingfield's shop, and took the prisoner into custody—he had this great-coat on—he was remanded three times—I found the crest on the button was not the crest of the master whose name he gave at Croydon, and at last found out the button-maker, and then the prosecutor.

Prisoner's Defence. I bought the things.

MARK HAYTON *re-examined.* The things were safe when I went to bed, between nine and ten o'clock.

GUILTY. Aged 19.—Transported for Seven Years.

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476. CHARLES COOKE was indicted for stealing, on the 22nd of January, 1 box, value 1*s.* 6*d.*; 53 printed books, value 1*l.* 17*s.*; 1 tea-caddy, value 1*s.*; 1 scent-jar, value 2*s.* 6*d.*; 1 drawing, value 1*s.*; and 1 pair of boots, value 5*s.*; the goods of Sarah Combley.

SARAH COMBLEY. On the 22nd of January I was at the apartments of my sister, at No. 158, Leadenhall-street—my sister called my attention to something outside the window, in consequence of which I ran down stairs, and saw the prisoner about thirty yards off, in Bishopsgate-street, with my

box on his back—I gave an alarm, and called out "Stop thief"—a gentleman stopped him going by, and a constable came up—the box contained books principally—there was the Encyclopedia, Goldsmith's Geography, and other books—there were fifty-three volumes—I had left the box in my bed-room, on the first floor—my sister lived on the second floor—the box and contents are worth between 2*l.* and 3*l.*—(*looking at the property*)—this is all mine.

HENRY WILSON (*City-police-constable No.* 34.) On Monday, the 22nd of January, I was on duty near the Flower Pot, in Bishopsgate-street, and saw the prisoner with the box on his shoulder, standing against the Flower Pot—I had seen him walking very fast before that, coming from towards Leadenhall-street—the prosecutrix is my wife's sister, and had been staying at my apartment—she came up and said, "Henry, this man has got my box"—I took him into custody with the box.

Prisoner's Defence. I have a wife and four children, and am in the greatest distress, being out of employment seven months—on the day in question I went to the water-side, but could get no work, owing to the severity of the weather—I stood at the Flower Pot to get an honest sixpence—a man came up and asked me to carry the box for sixpence—I think he said to the Dolphin—I walked to the Flower Pot, and the prosecutrix came up and said it was her box—when the gentleman stopped me, I thought it was the gentleman who had employed me—I did not attempt to escape—I requested the policeman to allow me to carry the box further, as I might see the party who employed me—many persons assembled, and I walked deliberately to the watch-house.

HENRY WILSON *re-examined.* The house door was left open, as the house was undergoing repair—it is about two hundred yards from the Flower Pot—the address the prisoner gave me I found to be false—I have seen him about Bishopsgate-street, and have removed him several times.

Prisoner. I received the box from the man at the corner of Leadenhall-street.

SARAH COMBLEY *re-examined.* I was in the second floor room when my sister alarmed me—she was opening the window to look for a coach, and called me—I ran down, and saw the prisoner about thirty yards from the door—he had crossed the road—I had seen the box about half an hour before—I was waiting to go off in a coach.

GUILTY. Aged 31.—*Recommended to mercy.*—Confined One Year.

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477. JAMES PAIN was indicted for stealing, on the 27th of January, 1 cape, value 30*s.*, the goods of James Charles Edmiston.

GEORGE HOBDAY. I am in the service of Mr. James Charles Edmiston, of No. 91, Gracechurch-street, City. About eleven o'clock, on the morning of the 27th of January, I was in the shop, and saw the prisoner take a camlet M'Intosh cape off the block at the door—I ran after him up Half-moon-passage, he threw it down, and was stopped by Rawson—the cape is worth 30*s.*—I never lost sight of the prisoner till he was in custody.

GEORGE RAWSON. I am a constable of Lime-street ward. As I stood in Half-moon-passage I saw the prisoner throw the cape down—I then pursued and took him about thirty yards from where he threw it down—he asked me to send to his father, and I went to his employer, who

stated that he was very honest, and never knew him to act dishonestly at all, and he would take him into his employ again.

(*Property produced and sworn to.*)

(The prisoner received an excellent character.)

GUILTY. Aged 25.—*Recommended to mercy.*—Confined One Month.

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478. GEORGE ROBERTS was indicted for stealing, on the 13th of January, 1 carcase of a sheep, value 1*l.* 18*s.*, the goods of John Fulwood.—2nd COUNT, calling it 88lbs. of mutton.

JOHN FULWOOD. I am a butcher, and live at No. 4, Hartley-place, Old Kent-road. I purchased three sheep, in the carcase, on the 13th of January, in Leadenhall-market—I had a cart there, standing in Gracechurch-street, under the care of a man who looks after the carts—I lost the carcase of a sheep, weighing 88lbs., and worth 38*s.*

WILLIAM STEVENSON. I am employed by the butchers, in Leadenhall-market, to look after their carts. On Saturday morning, the 13th of January, I was walking up and down Gracechurch-street, watching the carts, and missed a carcase of mutton from Mr. Fulwood's cart—I saw the prisoner take it from the cart and put it on his back—I went after him, and told him to bring it back—he made me no answer—I called him again, he said something, but I could not tell what it was—he plunged the sheep against me, I lost my hold of him, and he ran round Lombard-street—I gave him in charge in Birchin-lane.

Prisoner. He said before the Lord Mayor that he did not see me take it. *Witness.* I never said so.

Prisoner. He said he wished he could have caught the man who put the tail-board down, and gave me the sheep. *Witness.* I did not—I saw him take it out of the cart—there was another man with him.

Prisoner's Defence. I was employed to carry the carcase of mutton to Whitechapel by a man I do not know, and had never seen before—I was in the habit of attending the market, not being able to procure employment at my own business—I had not got far with the mutton before the witness stopped me, and told me to take it back to where I got it from—I pointed to the man, and said, "That is the man I had it of."

WILLIAM STEVENSON *re-examined.* He did not point out any man—he made no reply, but *chucked* the sheep against me and ran off—he muttered something which I could not understand.

Prisoner. I was forced to drop the sheep, and run after the man—I told the witness that was the man who had employed me to carry it, but he still held me—I am a total stranger in London, and belong to Liverpool.

JOHN FULLWOOD *re-examined.* He stated to me that the other man let the tail-board down for him, to take it out of the cart.

GUILTY. Aged 21.—Confined Six Months.

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479. WILLIAM GRIGGS was indicted for stealing, on the 23rd of December, 1 cloak, value 4*l.*, the goods of Robert Fisher.

MARY ANN COLLER. I am in the service of Mr. Robert Fisher, who lives at No. 15, York-place, Kentish-town. On Saturday, the 23rd of December, about ten minutes or a quarter past eight o'clock in the

morning, the prisoner came to the house, and asked to see Mr. Fisher—I said it was not the time Mr. Fisher would be about, and he could not see him for two hours—he said he had no where that he could go to, near, and asked if I would allow him to sit down in the hall—I said, "You had better go and call again"—he said, "I shall be obliged to you to let me sit down in the hall," and at last I did—in about ten minutes he called out at the bottom of the stairs, and said, "I do not think I shall stay, I will call again at nine o'clock," and in two or three minutes I heard the door go—I did not think it necessary to let him out, as I knew him—(I had lived with him for three months, about three years ago, with Mr. Fisher)—Mr. Fisher came home about five o'clock in the evening, and the cloak was then missing—Mr. Fisher said, "William must have taken it, if he has been here"—the cloak is here—Mr. Fisher got it from Mr. Fuller, the pawnbroker.

Prisoner. She saw me go out, and I had no cloak with me—I had been there two or three times before.

EDWARD FULLER. I live with Mr. Turner, a pawnbroker, at No. 38, Waterloo-road. This cloak was pawned at our shop by the witness Vernon, in the name of Cooper, for two guineas, on the 23rd of December, in the morning, I believe.

CHARLES THOMAS VERNON. I live in Morpeth-place, Waterloo-road, and am a pocket-book and jewel-case maker. I do not keep a shop—I am a journeyman, and work for the Soho and Oxford-street bazaars.

Prisoner. It is false, he keeps a bad house. *Witness.* I should be sorry if I did—I do not live in a house of that sort—the prisoner came to me and called me up out of my bed—I have known him three years in a respectable situation—he asked me to be so kind as to do him a favour—he said, "Will you go and pawn this cloak, you being known in the neighbourhood?" and I certainly did pawn it at Mr. Turner's.

Prisoner's Defence. I did give it to him, but I had it given to me by a young man in Stamford-street, who asked me to go and pawn it—I said no, I would not, but I knew somebody who would, and I took the cloak to Vernon's house.

MARY ANN COLLIER *re-examined.* I had not seen the cloak myself that morning, but it usually hung in the hall—I lived in Mr. Fisher's service with the prisoner three years ago—he was footboy—he called at Mr. Fisher's once or twice after he left, and we gave him some dinner and beer, and were very kind to him—the housekeeper ordered me to give him some—Mr. Fisher knew of it.

GUILTY. Aged 18.—Confined Six Months.

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480. WILLIAM GRIGGS was *again* indicted for stealing, on the 22nd of December, 1 coat, value 30*s*., the goods of John Evans.

JOHN EVANS. I live at No. 18, York-road, Westminster. On the evening of the 22nd of December I lost a coat—I do not know the prisoner—I came in between four and five o'clock, and hung my coat in the passage—in about an hour a young man came in with a handbill, and desired the servant to show it to the lady of the house—she brought it into the parlour—I looked at it, and the coat was then taken.

CHARLES THOMAS VERNON. I was coming home by Mr. Hickinbotham's in the New Cut, and the prisoner was there—he asked me to be

so kind as to go and pawn that coat—I met him accidentally—he asked me to pawn it, being known in the neighbourhood, and I pawned it for 12*s.* 6*d.* at Mr. Messentt's—the prisoner gave it me off his arm—it was about a mile from Mr. Evans's, and about twenty yards from the pawnbroker's.

Prisoner. I plead guilty to this charge.

WILLIAM MESSENTT. The witness Vernon pawned the coat with me on 22nd of December, in the name of Smith—the prosecutor has got it on, as he redeemed it next morning.

THOMAS BARTLETT (*police-constable L* 143.) I took the prisoner into custody on the 24th of December, and found the duplicate of Mr. Evans's coat on him.

WILLIAM MESSENTT *re-examined.* This is the duplicate of the coat.

JOHN EVANS *re-examined.* I have the coat on—it is mine.

Prisoner. I was at Vernon's house all the day, as the coat was taken in the evening—I asked him to come out with me—I went to a house and had no success there—I then went to York-road, and he stood outside while I brought the coat out—he afterwards met me and pawned it.

CHARLES THOMAS VERNON *re-examined.* It is false.

Prisoner. He got 12*s.* for it, and he bought a goose for his dinner, which he gave 6*s.* for, and had 1*s.* for pawning the coat. *Witness.* No, he gave me a glass of gin for my trouble—he bought a goose and sent it home to our house, and said, "I will come and dine with you on Christmas-day."

Prisoner. You carried the goose and paid for it. *Witness.* I did not know the coat was stolen.

GUILTY. Aged 18.—Confined Six Months; to commence from the expiration of the former sentence.

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481. MARY NOBLE was indicted for stealing, on the 5th of January, 19 yards of printed cotton, value 9*s.* 6*d.*, the goods of Richard Farrar and another.

WILLIAM ARNOLD. I am shopman to Mr. Richard Farrar and another, of No. 25, Great Russell-street, Covent-garden. On Friday, the 5th of January, I was in the shop, and in consequence of something I was told I went to the door, and the prisoner was pointed out about forty yards from the door—I went up to her and found nineteen yards of printed cotton partly under her shawl and partly out—I caught hold of her, and she acknowledged stealing it, saying she wished to be transported, as she was in great distress—I know it to be my master's property—it is worth 5*s.*—I had seen it about half an hour before.

Prisoner. I had been four days without food—I have no home.

FRANCIS KEYS. I am an officer of the police. I found the prisoner in Mr. Farrar's shop—she said she had had nothing to eat, and after the examination I gave her refreshment—she appeared in an exhausted state.

Prisoner's Defence. I was in the greatest distress—my husband has been dead these three years, and my friends are all dead. I know not what to do if you discharge me from this bar; I am in the greatest distress, and all my friends and relations are dead, or I would not be a criminal at the bar. I have a brother, but he never relieves me—he lives at Bethnal-green, but does not notice me.

GUILTY. Aged 40.—*Recommended to mercy.*—Confined Six Months.

Before Mr. Sergeant Arabin.

482. JOHN OWEN was indicted for stealing, on the 13th of January, 2 shirts, value 8*s.*; 2 handkerchiefs, value 18*d.*; 1 waistcoat, value 10*s.*; 2 pairs of socks, value 2*s.*; 3 collars, value 1*s.*; 1 towel, value 6*d.*; 2 wrappers, value 2*s.*; and 1 flannel waistcoat, value 4*s.*; the goods of Sarah Chaplin; and that he had been before convicted of felony.

MARY ANN CHAPLIN. I am the daughter of Sarah Chaplin, who is a laundress, and lives in Bruton-street. On the 13th of January, between ten and eleven o'clock at night, I was in Cateaton-street, with this linen, which was clean, and was in a cart—there was a young man in the cart with me—the clothes were in a bundle—I observed the prisoner just by the pavement, near the cart, with a bundle on his arm, walking away with it—the young man stopped the horse, got out, and pursued the prisoner, who was brought back by the watchman, with the bundle, almost immediately.

JOHN CHEEDLEY. I am a watchman. I was in Cateaton-street, and saw the prisoner go to the cart, and make two jumps up at it—the second time he got this bundle from the cart, and dropped two wrappers—he took the bundle out, and ran off with it—I overtook him about thirty yards from the cart, going off with the bundle.

(*Property produced, and sworn to.*)

ALLEN HORATIO GARMAN. I am a policeman. I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's Office (*read*)—I was a witness on the trial—he is the person, I am certain.

GUILTY. Aged 30.—Transported for Fourteen Years.

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483. SARAH YOUNG was indicted for stealing, on the 18th of January, 11 pairs of stockings, value 30*s.*, the goods of Henry Blenkinsop; and CHARLES HEWITT for feloniously receiving the same, well knowing them to have been stolen.

HENRY BLENKINSOP. I keep a hosier's shop at No. 59, Gracechurch-street. On the 18th of this month, about one o'clock, the prisoner Young and two other females came into my shop, and requested to look at some Guernsey frocks—I said I did not think I had any that would suit—they requested again to see what I had—I found the lowest-priced article—they said they would not do, and turned them over hastily, and went out—a few minutes after I perceived a parcel of stockings gone from my window—I told my young man to follow me, and went out—I saw two of the females turning round into Fenchurch-street, and saw the prisoner about thirty or forty yards in advance, walking with this young man (Hewitt)—I followed them—she was working with her hands under her cloak, and passed something to him—she turned away immediately after that was done—I ran up to Hewitt, and said, "That is my parcel"—I wheeled him round, and gave him to my young man—I ran back after the female, calling "Stop thief," and the policemen stopped her—these stockings are my property—(*looking at them*)—she gave them to Hewitt from under her cloak—she was on the left-hand side—it was done in a concealed manner—he put his right hand round, and had them in his arm when I seized him—he evidently understood what she meant, and took it in the same way, at least it so appeared to me.

EDWARD ATKINSON. I live with the prosecutor. I went out immediately after my master, as far as Fenchurch-street—I have heard his statement—it is quite true—it appeared to me that the female gave the stockings to the young man in a concealed manner—she stooped down, and took them from under her cloak.

Young's Defence. I went into the shop with the other girls—the stockings laid down by the door—I picked them up, and came out—I told the young man (Hewitt) I had found them, but I had not got them under my cloak.

Hewitt's Defence. I was in company with this young woman coming over the bridge—I had no work, having a bad finger.

MR. BLENKINSOP *re-examined.* I did not see them walking together before this happened—the three females came in by themselves—the first time the two prisoners were seen together was when I overtook them with the stockings.

YOUNG—GUILTY. Aged 24. } Confined Three Months.
HEWITT—GUILTY. Aged 18. }

Before Mr. Recorder.

484. THOMAS EATON was indicted for stealing, on the 18th of October, 1 £5 Bank-note, the property of Thomas Coucher.

MR. PRENDERGAST *conducted the Prosecution.*

THOMAS COUCHER. On the 18th of October I went to the County Bank, to cash a cheque for eighteen guineas—I received a £10 note on the Bank of England—I put every thing into my pocket-book, which I put into my side-pocket, and as I came out of the banking-house it was in my breast-pocket—my coat was not buttoned—as I came out, a gentleman, I thought, was going in, and I held my hand up to let him go in; but he walked round me, and away he went—I walked towards Charing-cross, and then missed my pocket-book—I got the number of the note at the banking-house, and stopped the note—whether I dropped the pocket-book, or it was taken out of my pocket, I do not know—I never lost any thing before from that pocket—I had not stooped down, so that it could not have fallen out—I missed it when I got near Charing-cross—there was a considerable number of papers in the pocket-book.

Q. Supposing a person found the pocket-book, would the papers enable him to find you out? *A.* Yes—there were two bills of exchange, with my name and address on them, and there was a receipt with my name and address on it—I had written it that morning, to take to a gentleman—I never saw the prisoner in my life, till he was at the station-house—he is not the man who went round me at the banking-house door—it was about ten o'clock in the morning.

GEORGE FINDLEY. I live at No. 43, Ratcliff-highway, and am a watchmaker. On Wednesday, the 18th of October, the prisoner came to my shop, and purchased a watch, between one and two o'clock—I should say it was half-past one o'clock—he paid for it with a £10 Bank of England note—I observed, when he gave it to me, that he did not face me, but turned himself round, and took the note out of something—I could not see what he took it from—he took something out of his pocket, turning his back to me—he stood by the shop-door, at the light—he took something out of his pocket, and seemed to be two or three minutes taking the note

from whatever he had in his hand—I did not change the note myself—I did not ask him any thing about it at the time, not till I saw him a second time—he came to the shop twice, to have the watch regulated.

Q. Had you heard, before he came to have it regulated, any thing about the note being stolen? *A.* No, I had no conversation with him about the note on those occasions.

Q. When did you first have any conversation with him about it? *A.* About a week after I heard the note had been stolen, which was about a fortnight after I had taken it, I saw him on the opposite side of the way, looking at a print shop, and called him over—I sent for Mr. Potter, who had changed the note for me, and I asked the prisoner if he was not the person who had changed the note and bought the watch—he said, "Yes"—I asked where he got the note—he said he had not stolen it—I said I did not say he had, but it had been traced to me, and I wished to know where he got it—he said he changed it for a sailor, who had gone to sea—I asked his name and address, and he wrote in my book, "Thomas Eaton, No. 4, Bett-street, Ratcliff-highway"—he wrote that in this book, which I have here—Bett-street is about fifty yards from my house—I directly went to Bett-street, to No. 4, and could not find such a person—it was nearly dark, and I thought I would leave further inquiry till the morning—I inquired at every house in the street to see if I could find him, but nobody knew of any such man—about three weeks after I met him again in Spectacle-alley, Whitechapel, leading from Church-lane, about half a mile from Ratcliff-highway—he passed me, and I turned after him, and said to him, "Did you not buy a watch at my shop?"—he said, "Yes"—I said, "You gave me a £10 note?"—he said, "Yes"—I said, "How was it you gave me a false address?"—he said, "I did not give you a false address, I live there"—I said, "You do no such thing"—he said he did live there, but directly he found himself in this hobble he went to his lodgings and told the woman if anybody inquired for him to say he did not live there—he told me he had been into the country, to Bristol, I think, and had only returned the night before.

Q. Did he say why he went into the country? *A.* Yes, because he had got himself into such a hobble—I asked him what account he could give me of the note, how he got it—he said he was going down the Strand, and met a man, who said to him, "*Jack*, I have picked up a book with a £10 note, and if you will get it changed I will give you something for your trouble"—he did not say what the man was to give him for his trouble—he said the man was waiting conveniently by, waiting for the change, after he had bought the watch, he bought the watch for two guineas, and when he went out he gave the man the change, and the man gave him the watch for so doing—I then took him down to the station-house.

Q. How long did you keep the note by you? *A.* Not a minute—my daughter went to get it changed—I am certain I gave her the same note as I received from the prisoner.

MARIA FINDLEY. On the 18th of October I received a £10 note from my father, and took it to Mr. Potter to get changed—I did not write any thing on it—I know I gave him the note I got from my father—I saw the prisoner in the shop.

EDWARD POTTER. I am a cooper, and live at No. 37, Ratcliff-highway. I received a £10 note, on the 18th of October, from Maria Findley

—I kept it till the 1st of November, and then paid it to Mr. Jones, the clerk at Ambridge's, in St. John-street, Smithfield—I am quite certain I paid him the same note—I had no other £10 note.

SAMUEL JONES. I am clerk to Ambridge and Co., corn-merchants, St. John-street, Smithfield. I received a £10 note from Mr. Potter, and paid it into the bank of Williams and Co.—I marked it before I paid it—(*looking at a note*)—this is the note—I wrote on it before I parted with it, "Edward Potter"—I had no other £10 note that day.

WILLIAM BEALE. I am a police-officer. The prisoner was brought to the station-house, and I took him into custody—I asked him what account he gave of the note—he said he met a person in the Strand, who he saw pick up a pocket-book, from which he took a £10 note—(I am certain he said he saw him pick it up and take a £10 note out of it,) and he said to him, "If you will get this changed for me, I will give you something for your trouble," that he then came down to Ratcliff-highway, and purchased a watch—Potter and Findley were present at the conversation.

COURT. *Q.* Are you certain he said he saw the pocket-book picked up? *A.* He did decidedly—the conversation was at the station-house—both Potter and Findley were present, and heard it—he said after he got the change, the person was waiting outside contiguous, who he gave the change to, outside Mr. Findley's door, and he gave him the change, and the man gave him the watch for his trouble.

MR. PRENDERGAST. *Q.* Were you before the Magistrate? *A.* Yes—the prisoner stated something similar then—I saw him sign the statement that he made before the Magistrate—this is what he signed—(*looking at the examination*)—it was read over to him before he signed it—no threat or promise was used to him—this is the Magistrate's signature—(*read*)—"The prisoner says I was walking with a sailor who found a pocket-book in the Strand, he took a £10 note out of it, and said he would give me a sovereign for my trouble if I would change the note—I bought the watch of the gentleman for 2*l.*—it is evident it could not be a stolen note, for I went to his shop several times to get the watch regulated—the sailor was a stranger—I saw him pick it up—he would not let me look into it—he said that was all there was in it—it was a red pocket-book—a large one—I lived at No. 4, Bett-street at the time I changed the note."

GEORGE FINDLEY *re-examined.* I have not made further inquiry at Bett-street since the prisoner gave me the explanation.

MR. COUCHER *re-examined.* My pocket-book was a red one, about the size of a small Common Prayer-book—it was formerly red, but was very dirty.

SAMUEL BROWN. I am clerk to Messrs. Coutts. On the 18th of October I cashed a cheque of 18 guineas in the name of Coucher—I paid him a £10 note, No. 9961, dated the 13th of September, 1837, and the rest in gold—(*looking at a note*)—this is the same number and date—I have not a doubt of its being the same—I have the cheque here—(*producing it.*)

MR. COUCHER *re-examined.* That is the cheque.

Prisoner's Defence. I have nothing more to say than the note was not stolen by me.

NOT GUILTY.

NEW COURT.—*Tuesday, January 30th*, 1838.

Fifth Jury, before Mr. Common Sergeant.

485. SARAH KEYS was indicted for embezzling, on the 29th of December, the sum of 5*l.*, which she had received as servant to, and on account of Susan Flemington.—2nd COUNT, for stealing on the same day a £5 bank-note, the property of Susan Flemington.

SUSAN FLEMINGTON. I reside at No. 19, Edgeware-terrace, Battlebridge. The prisoner was in my employ—on Friday, the 29th of December, I gave her a £5 note to get changed—she went away and did not return—I did not see her again till she was in custody—I am in no business.

WILLIAM HOWARD (*police-constable F* 94.) From information I received I went to Rose-street, Long-acre, and apprehended the prisoner. The landlord said she frequented there—I went and asked her if she had been living at Islington, with Miss Flemington—she said "No"—I asked her if her name was Keys—she said "No"—I took her to the station, and she said she took the note and did not return it, that she changed it, and spent it to buy some things which she wore.

GUILTY. Aged 20.—*Recommended to mercy by the Prosecutrix.*

Confined Three Months.

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486. JOSEPH EDMUND HYDER was indicted for stealing, on the 12th of December, 1 watch, value 5*l.*, the goods of George Clamp, his master.

GEORGE CLAMP. I live at No. 124, Aldersgate-street, and am a pawnbroker. The prisoner was in my service.

Prisoner. I wish to recall my plea, as the prosecutor has promised to show me as much lenity as he could, if I do. *Witness.* No, you called and asked me to be merciful—I told you I would.

COURT. *Q.* The prisoner was in your employ? *A.* Yes, occasionally—I had a quantity of watches in my stock—I have missed some—five have been applied for that we cannot find—I suppose the value of them was about 10*l.* or 12*l.*—I went with the officer to the prisoner's father's house in Bartholomew-close, and gave the prisoner into custody—he was taken to the station, and then to the Compter—in the morning some of his friends went to him, and then he sent for me—I went with the officer and saw him—he said, "What I have done I am very sorry for"—I said, "You know I have missed these things," and then he told me of his stealing eight watches, where he pledged them, and the amount, also twelve silk handkerchiefs, four lace veils, a shawl, and a waistcoat—he gave me no account why he did it—this is one of the watches—(*looking at it*)—I will swear to it.

GEORGE KING. I am an assistant to George Gray, a pawnbroker. I produce this watch, which was pledged in the name of James Williams, for Henry Wood—I cannot say who pledged it.

Prisoner. I hope for the mercy of the Court—I was driven to it by distress, and want of food for my wife and myself.

(The prisoner received a good character.)

GUILTY. Aged 20.—*Recommended to mercy by the Prosecutor.*

Confined One Year.

(There was another indictment against the prisoner.)

487. ANN MATTHEWS was indicted for stealing, on the 5th of January, 2 yards of calico, value 6*d.*; 2 yards of muslin bordering, value 1*s.*; 1 shawl, value 7*s.*; 1 velvet mantle, value 2*l.*; 4 table-cloths, value 5*s.*; 3 napkins, value 3*s.*; 1 muslin cape, value 1*s.*; 1 silk dress, value 30*s.*; one fur boa, value 2*s.*; 3 aprons, value 2*s.* 6*d.*; 2 pairs of stockings, value 2*s.*; 2 pairs of socks, value 1*s.*; and 1 yard of ribbon, value 3*d.*; the goods of Robert Cook, her master; to which she pleaded

GUILTY.

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488. ANN MATTHEWS was *again* indicted for stealing, on the 20th of December, 8 sheets, value 4*l.*; 2 pillow-cases, value 5*s.*; 3 sheets, value 2*l.*; 1 silk dress, value 1*l.*; 2 table-cloths, value 10*s.*; 3 towels, value 2*s.* 6*d.*; 2 handkerchiefs, value 3*s.*; and 1 blanket, value 5*s.*; the goods of Robert Cook, her master; to which she pleaded

GUILTY.

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489. ANN MATTHEWS was *again* indicted for stealing, on the 8th of November, 1 bed, value 30*s.*; 1 bolster, value 5*s.*; and 1 pillow, value 3*s.*; the goods of Robert Cook, her master; to which she pleaded

GUILTY. Aged 28.—Transported for Seven Years.

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490. WILLIAM FORBES was indicted for stealing, on the 20th of January, 1 basket, value 1*s.*; 100 oranges, value 4*s.* 6*d.*; 14 lemons, value 9*d.*; 1½ peck of nuts, value 6*s.* 6*d.*; and ½ peck of chestnuts, value 2*s.*; the goods of Hermon Reickers.

Hermon Reickers. I live at No. 32, Margaret-street, Spa-fields. On Saturday night, the 20th of January, I was driving my cart in Shoe-lane, and the prisoner came to me—I did not know him—I am sure he is the man—he said, "Mr. Reickers, Mr. Hook the baker calls you"—I then left my cart, to see what Mr. Hook wanted with me—I found he did not want me—I came back to the cart, and missed the property stated, it was all in one basket—I looked about, ran down a court in Shoe-lane, and saw the prisoner with the property—he dropped it—I am sure he is the man—I have no doubt at all.

Cross-examined by Mr. Payne. *Q.* Have you always been so sure about his being the person? *A.* Ever since these things were taken—I was confident at the station-house—Mr. Hook's I believe to be about 100 yards from where my cart was—I have not measured it—I did not go into his shop—I went to the door—when I came back to my cart I examined it—I did not know the man at all—I did not express any doubt at the station-house as to whether the prisoner was the man—they asked me to look round to see whether I should know the man, and I pointed out this man—there were perhaps a dozen there—I said, "I am sure he is the person"—I might have used the word "almost," for what I know—the person whom I saw running up the court with my things was perhaps twenty or thirty yards off—it was a very dark night—I had lost sight of the person after the property was dropped.

Court. *Q.* Are you sure he is the person who dropped the property? *A.* I am sure of that—I said I was almost sure because I had hardly discerned the person before I said it—I am quite certain he is the person.

THOMAS BENTLEY (*City police-constable No.* 88.) I heard a cry of "Stop thief," and saw the prisoner running, and took him—I said nothing to him.

NOT GUILTY.

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491. EDWARD BAILEY was indicted for stealing, on the 10th of January, 2 coats, value 10*s.*; and 1 pair of gloves, value 1*s.*; the goods of John Howes.

JOHN HOWES. I am a labourer in the London Docks. On the 10th of January I had two coats—I lost them, and found them again—they were locked up in my box in the crane-room—I know the prisoner by working at the Docks—he had no business where these coats were unless he was at work.

Prisoner. I left a good apron and cap with him—we live near together.

WILLIAM CARTER. I am foreman of the warehouse. I know the prisoner—about a quarter past three o'clock I saw him coming down from the wheel-room with one of these coats on his back, and one under his arm—I asked him where he got them—he said they were his clothes—I stopped him, took one from him, and the other he had got on his back—I have known him six weeks or two months—I know nothing against his character—we have hundreds of people there.

JOHN HOWES *re-examined.* I never gave him permission to take these things—the box was locked, and was broken open—I did not authorise him to use him them.

Prisoner. I have worn his coat to go home in the evening. *Witness.* I did one night let him wear my great coat home when we were at a house together.

Prisoner. I deny breaking the box open—there are fifty or sixty men sometimes in that room—I have taken a thing from that room to go home with him.

GUILTY. Aged 25.—*Recommended to mercy by the Prosecutor.*—Confined Three Months.

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492. ELLEN SHANN was indicted for stealing, on the 10th of January, 1 table-cloth, value 3*s.*; and 4 stockings, value 2*s.*; the goods of Henry Christoffer.

(The witnesses did not appear.)

NOT GUILTY.

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493. JOHN M'NALLY was indicted for stealing, on the 6th of January, 3¾lbs. weight of pork, value 2*s.* 6*d.*, the goods of Thomas Cowell.

THOMAS COWELL. I live in Knightsbridge, and am a butcher. On the night of the 6th of January the prisoner took a piece of pork—I went after him—he was taken in my presence with the pork—this is it.

Prisoner. I was coming from the pay-table, and had a drop too much—I took this and asked the price; he gave me no answer—I was going into the door, he came out and said, "Go along, I don't want your custom; that is 8*d.* a pound"—I beg for mercy.

JOSEPH WRIGHT (*police-constable B* 137.) I heard an alarm—I took the prisoner about ten yards from the prosecutor's with the pork—he said he did not like to be detained, he would pay for it.

Prisoner. No, I did not—Cowell asked me for the pork and I gave it him—I had 10*s.* coming to me that night, and when I got home I had but 8*s.*—I do not know whether I paid for it or not—I have a wife and five children.

THOMAS COWELL. He did not pay me for it.

GUILTY. Aged 43.—*Recommended to mercy by the Prosecutor.*—Confined Seven Days.

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494. THOMAS DEAKINS was indicted for stealing, on the 13th of January, 1 hearth-rug, value 1*l.* 3*s.*, the goods of Thomas Winsted Green and others.

CHRISTOPHER SHOULER. I am shopman to Thomas Winsted Green and others, of No. 38, Judd-street; they are linen-drapers. On the 13th of January I had a hearth-rug hanging inside the door—I am sure it was inside—I saw it in the evening quite safe, as late as nine o'clock—I saw the prisoner take it from the door at half-past ten o'clock—I ran after him, and saw him throw it down a gentleman's area—I followed him, called "Stop thief," and a gentleman came out of a public-house, and took him—I am sure I had not lost sight of him—I then went back to the area gate, and got it—this is it.

GEORGE SMITH (*police-constable E* 110.) I took the prisoner, and have the rug.

Prisoner. I was going up the street, and turned down the first turning to go to my lodgings—there was a cry of "Stop thief," and a boy ran past me, a person came out, and stopped me.

Witness. There was no other person in the street.

GUILTY.* Aged 17.—Transported for Seven Years.

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495. GEORGE HARTLAND was indicted for embezzling, on the 5th of January, the sums of 2*s.* 10*d.* and 1 shilling, the monies of James Butler, his master.—2nd COUNT, for stealing 1 shilling, the money of the said James Butler, his master.

JAMES BUTLER. I live at No. 144, Kingsland-road, and am a cheesemonger. The prisoner was in my employ—it was his duty to receive money, and pay it to me—if he has received 2*s.* 10*d.* from Amelia Simmons, he has not paid it me—I sent Amelia Simmons for the things to my shop—he was to serve her, and place the money in the till—if he placed it in the till, he removed it afterwards—I left the shop between four and five o'clock on the 5th of January, and returned between five and six o'clock—when I left there might be 1*s.* in halfpence in the till—when I came back there was 14*s.* or 15*s.*—I had marked the money I gave Simmons, and it was not there—it was my money that I gave her—the prisoner was searched in my presence, and the marked shilling found in his waistcoat pocket—he had no business to put it there.

AMELIA SIMMONS. I live with my father and mother—I went to the shop, and paid the prisoner 3*s.*, which was given me by Mr. Butler—he gave me 2*d.* out.

JAMES BUTLER *re-examined.* This is one of the shillings I marked, and gave her.

WILLIAM HODGE. I am the officer. I found this shilling on the prisoner.

Prisoner. A little girl came to the shop, and gave me 3*s.*—I had a sixpence, and 6*d.* in halfpence, in my pocket, which I put in exchange for one of the shillings, not knowing it was marked.

JAMES BUTLER *re-examined.* I would not undertake to say he did not do so, but there was money in the till to give change.

NOT GUILTY.

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496. GEORGE LUTMAN was indicted for stealing, on the 6th of January, 3½lbs. weight of bacon, value 2*s.* 6*d.*, the goods of William Gunston and another.

GEORGE SARGEANT. I am in partnership with William Gunston, and live at No. 84, High-street, Marylebone, and am a cheesemonger. I know the prisoner—he has been in the habit of attending my shop—on the 6th of January I saw him, and asked him if he wanted a piece of bacon—I do not know the answer he made, but I watched him, and saw him take a bit of bacon, and put it to his nose—I went into the shop, and saw him walk off with it—I followed him, and saw him putting it into his basket—I then followed him, and said I wanted him—he said, "What for?"—I said I wanted what he had got in his basket—he said he had nothing—I said, "You have a bit of bacon"—he said he had not—I said he must come back, and then he said he was coming back to pay for it—before the Magistrate he said he was going to speak to a friend across the road, who had called him—this is the bacon.

JOHN SIMMONS. I am a policeman. I was called, and took the prisoner, and the bacon.

(The prisoner received a good character.)

GUILTY. Aged 47.—*Recommended to mercy by the Jury.*—Confined One Month.

OLD COURT.—*Wednesday, January* 31*st*, 1838.

Third Jury, before Mr. Serjeant Arabin.

497. MARY AYRES was indicted for stealing, on the 27th of January, 1 bag, value 6*d.*; and 33 sovereigns; the goods and monies of Jonathan Laurence from his person.

JONATHAN LAURENCE. I am a gingerbread baker and confectioner, and travel about to the fairs. On the 27th of January I met the prisoner at the corner of Fleet-street, about nine o'clock in the evening, and remained with her till about twelve o'clock—I was quite sober—she spoke to me first—we walked as far as Temple-bar, and back again, and then to Gloucester-street, Tower-street—we went into a bed-room together—I gave her about 2*s.* 6*d.*—we were on the bed together—before I went on the bed, I had thirty-three sovereigns in a bag in my left hand trowsers pocket—we were on the bed for five or ten minutes, and before I got up I missed my money—my pocket was buttoned, and I had my hand in it—the light was nearly extinguished—I accused her of taking it while I was on the bed—there was not another soul in the room but her and me—she denied it—I knocked for the landlady to bring another light—another female and the landlady came into the room—I still held the prisoner, and kept charging her with robbing me—she still denied it, and while I was holding her she dropped four sovereigns from her cloak, and five more and

the bag—a policeman was called, and he said, "Let her go, my good man, I will do what I can"—he took five sovereigns out of each of her hands—she had got her hand into my pocket while I was on the bed—I had twenty sovereigns in one piece of paper, and thirteen in another, all put into the bag, which was tied round with a piece of dirty ribbon five or six times.

Cross-examined by Mr. Doane. *Q.* You walked a long way with her? *A.* Yes—I certainly went with her or I should not have lost my money—I gave her a glass of rum, about nine o'clock, at the corner of Blackfriars'-bridge, and just before twelve o'clock we had another glass—I was in her company from nine o'clock till twelve o'clock—we went into two public-houses.

Q. Did what you gave her to drink, affect her at all? *A.* No; she was perfectly sober, as sober as I was—I was quite sensible—my wife is dead, and I am a single man—I gave the prisoner two glasses of rum—I swear I did not give her any more.

Charles Hitchens. I am a policeman. About half past twelve o'clock I was sent for to the house, and found the prisoner and prosecutor there—he accused her of robbing him—she said she had not any thing about her—I searched her, and found five sovereigns in each hand—she then said she was very sorry for what she had done, and hoped he would forgive her—she was sober.

GUILTY. Aged 40.—Transported for Ten Years.

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498. HENRY WILLIAMS was indicted for stealing, on the 8th of January, at St. Marylebone, 11 yards of woollen cloth, value 16*l.*, the goods of Robert Daft, in his dwelling-house.

Robert Daft. I am a tailor, and live at No. 13, Old Cavendish-street, Marylebone. On the 8th of January, about half-past five o'clock in the evening, the prisoner came into my shop—he was a stranger to me—he said he understood I was in want of a man to go on errands and do jobs—I told him he was misinformed—he left, and I shut the door—in about five minutes, being at tea in the adjoining room, I heard a great noise—a friend, who was sitting at tea with me, made an exclamation—I immediately went out, and raised a cry of "Stop thief!"—I had not then missed any thing—I ran a very short distance, and found a piece of cloth lying on the pavement—I picked it up and gave it to my friend—I pursued the prisoner, and overtook him in Chapel-place—I knew him to be the person who had come into my shop before—the cloth is worth rather more than 10*l.*—there is about eleven yards of it—this is it—(*looking at it.*)

Robert Jay. I am footman to Lady Hammond, of Upper Berkeley-street. I was coming along and heard a cry of "Stop thief!"—I saw the prisoner—he directly threw the cloth down at my feet—I ran after him, and saw him secured without losing sight of him, except in turning a corner—I swear he is the person who threw it down.

William Lyon. I am a policeman. I received the prisoner in charge with the cloth.

Prisoner's Defence. I went to the prosecutor's shop and asked him about a situation—I had not been out of the shop three minutes, and turned the corner, before I heard the cry of "Stop thief!"—a man came

running by me, and dropped the cloth—I was running at the same time, and a gentleman caught hold of me.

GUILTY.* Aged 27.—Transported for Fifteen Years.

Before Mr. Justice Vaughan.

499. ELIZABETH HODGES was indicted for the wilful murder of Sarah Hodges, an infant; she was also charged on the Coroner's inquisition with the like offence.

MR. PAYNE *conducted the Prosecution.*

MARY ANN HARVEY. I am the wife of John Harvey, and live at No. 11, Ireland-yard, Blackfriars. I attended the prisoner, Mrs. Hodges, in her confinement, which took place on the 4th of December—she lives at No. 21, Ivy-lane, Newgate-street—she was delivered of a girl—the child's name was Sarah—the prisoner's husband is a butcher—his name is Richard John Hodges—the prisoner did not get through her confinement well—she never was well—on Sunday, the 31st of December, I went to the house at ten minutes after seven o'clock in the morning.

Q. Did any thing particular occur after you had been there some time? *A.* About a quarter past eight o'clock Mr. Hodges came into the adjoining room to the bed-room, and asked me to come in—the bed-room is the back room—I came from another room into the bed-room, and found Mrs. Hodges standing with her hand on the drawers—Mr. Hodges was walking about with his hands folded, in a very melancholy way, and his expression was, "Oh God, what will become of me? what shall I do, Mrs. Harvey?"—I instantly looked round, and saw Mrs. Hodges standing, perfectly collected, by the drawers—I saw the bed clothes were put down, and inquired where the child was—I got no answer—I ran to Mrs. Hodges, took hold of her hand, and said to her, "My dear girl, what have you done with the child?"—she said, "It is dead"—she did not answer me the first time I spoke to her—I asked her two or three times before she gave me any answer—when she did answer, she said, "It is dead"—I said, "Dead! my dear girl, where?" and asked her what she had done with it—she said, "In the copper"—I flew instantly into the other room where the copper was, and there I saw the baby—I did not say any thing further to her before that—I went back into the room, and said to Mr. Hodges, "What are we to do?"—he instantly said, "Run for her father and mother"—they live opposite—I then took hold of Mrs. Hodges' hand, and asked her how she could do such a deed—she gave me no answer, but looked in a most wild, distracted state—I went into the other room after that, and took the baby out of the copper—the lid of the copper was on, part over it and part not—there was some water in the copper, which exactly covered the child—I wrapped the child up in a blanket.

Q. Had you observed any thing particular in the prisoner's conduct previously to that time? *A.* I had, for I might say a fortnight before—she was frequently in a very melancholy state of mind—I asked her several times what was the matter—she said she did not know, she felt in that state of mind that she thought she should make away with herself—she said the devil had tempted her very frequently—I said, "My dear girl you should not let such thoughts run in your head"—she said, "I cannot help it, Mrs. Harvey"—I have asked her if her husband was unkind to her—she said, "By no means whatever."

Q. Did you observe any thing particular on the Wednesday or Thursday before this Sunday? *A.* On the Wednesday before, at half-past six o'clock in the morning, I found an open razor on the table—I asked her how it came there—she said it was one of Mr. Hodges'—I said, "Mr. Hodges does not shave himself, what do you do with this razor?"—she said, "I don't know, I merely took it out of the drawer"—I said to her, "You will never see it any more, for I shall take it away from you"—she said, "That is right, take it away, for fear I should do any accident or mischief"—I do not exactly recollect which—she behaved very kind and fond to the child before this.

Q. What was your impression as to her state of mind from your observation attending her as nurse? *A.* I have every reason to believe that at times she was not rational in her senses.

Court. *Q.* Are you in the habit of attending on lying-in women? *A.* Not exactly so—I have done it several times, but I have worked for Mrs. Hodges for the last twelve months—when she got about she had not so much milk as when she was in bed—the milk gradually left her.

Cross-examined by Mr. Clarkson. *Q.* How old is she? *A.* Twenty-one—this was her second child—the first was a boy.

Q. Except at the period of her confinement, and immediately after, did her mind appear to be rational and proper, and as it ought to be? *A.* Perfectly so—the first child is alive now, and her conduct towards it has always been that of a fond and indulgent mother—she has always expressed herself as being happy with her husband at home, and circumstances appeared to warrant that conclusion in every respect.

Q. When you first spoke to her, after being called by her husband, when she explained that the child was dead and in the copper, did she appear to feel as a person would be expected to feel, having committed such an act? *A.* No—she did not appear to feel any regret at what she had done—she had been confined a month within a day—Mr. Hodges was not in the habit of shaving himself—he had been in the habit of sleeping with her for a week previous to that—there was no reason why a person in their senses should require a razor on the occasion when I found it in the bed-room—she requested me to put it out of the way—she appeared more herself at times—Mr. Hayes was the surgeon who attended her in her confinement—I am married.

Q. Probably you know it is not unusual when milk so soon leaves the breast for it to fly to the head? *A.* No, I think it is a very reasonable thing—I have had several children, and am the mother of a family—the prisoner did not tell me the time she had smothered the child—I heard her tell Mr. Hayes that—I was in the room at the time.

Q. At that time did she appear to feel what a person in her senses ought to feel? *A.* No—she appeared quite unconscious—she told me on one occasion, during her confinement, that she was continually haunted by the devil to make away with herself—she did not say with the child—I had not left the room on this occasion above a quarter of an hour or twenty minutes when Mr. Hodges came to me.

Court. *Q.* Then you suppose it was done in the intermediate time? *A.* No—when I went in the morning, at ten minutes past seven o'clock, I saw her sitting in a very melancholy state by the bed-side, and I said to her, "Hallo, what up already?"

Mr. Clarkson. *Q.* If she had been in her senses and knew what she

was about, would she have known from your attendance on her that you would have shortly been in the room, and inquiring about the child? *A.* She would.

COURT. *Q.* Was the child cold when you found it? *A.* Quite—at what time this could have been done, I cannot tell—I went away at twelve o'clock the night before.

JAMES EWINS. I am the prisoner's father—she drank tea with me on the Friday afternoon before this happened—I noticed particularly that she was in a very low way then—she had the child in her lap at the time, and I noticed her being in a particularly low, queer way.

Cross-examined. *Q.* Did she appear fond and attached to the child, and caressing it? *A.* She had it in her lap playing with it, and was rubbing her head in a very particular manner—before she was married, she was a kind-hearted affectionate creature—she never gave me any trouble at any time—she always took great care of her other child, and was always fond of seeing it—it was put out to nurse—that child is fifteen months old.

LEAH MILLS. I live at No. 7, Ivy-lane, exactly opposite Mr. Hodges' house. I have known Mrs. Hodges for the last eighteen years, and was in the habit of visiting her once or twice a week—I remember her being confined with her last child—I visited her on the Sunday after she was confined, and drank tea with her—when I entered the room, she was sitting with her baby—I asked her how she found herself, she said, "As well as I can expect."—I asked to see the baby, and nursed it for a short time—she entered into conversation with me on different occasions, but when the nurse left the room, she said, "I have had a very terrible dream"—(I noticed that she allowed the nurse to leave the room before she repeated the dream to me)—I said, "What have you dreamt, tell me?" she said, "I dreamt that the devil came to me and told me to kill my child"—the nurse came in again, and I took no further notice, but in a few minutes the nurse left the room again, she looked round to see that the nurse was gone, and then said, "I fell asleep again, and the devil came to me again, and said, 'You must, and you shall kill your child'"—I felt terrified, and said to her, "But you could not do that?" she answered, "Oh no!" and that was all that passed.

COURT. *Q.* How many days had she been confined then? *A.* On the Monday previous.

MR. PAYNE. *Q.* When did you see her again? *A.* On the Saturday following, nearly a week after—I went up as usual, and asked her how she found herself—when I entered the room, she was sitting on the foot of the bed, with her head lying on the bed, apparently asleep—I said, "How do you find yourself?"—she merely lifted up her head from the pillow, and said, "Middling, very indifferent," and immediately laid herself down again—I sat for ten minutes or a quarter of an hour—she was still sleeping, as I supposed—the child cried, and I asked her if I might take it from the bed: she said, "Yes"—I took it and she suckled it—I questioned her about the quietness of the child, and her milk—she said she had not milk enough to satisfy it, and that day she had been feeding it, and it was dissatisfied when the spoon was removed from its mouth—I asked her if she would allow me to buy her a feeding-boat—she allowed me to do so, and I bought one—I know nothing more concerning the child—I did not see her again until the Sunday morning after the child's death

—I had heard what took place, and went instantly over to her house—she was walking up and down the room with her hand to her head—I said to her "What have you done?"—she did not answer—I think this was about half-past eight o'clock or twenty minutes to nine—I then went and saw the baby, and fetched Mr. Hayes, the surgeon.

Q. What is your opinion of the state of her mind? *A.* I do not consider she was in a sane state of mind, nor had she been so for the last six months—I have seen a visible change in her for the last six months, in the total neglect of her person, and never wishing to go out on any occasion, nor wishing to see any company at all.

Cross-examined. *Q.* That was during the time of her pregnancy? *A.* It was—I am not married.

James Hayes. I am a surgeon, and live in Newgate-street. I have been in the habit of attending Mrs. Hodges, and attended her in her last confinement—the child was born previous to my getting there—it was born about a month before she expected—I remember being called in on Sunday morning, the last day of December, and saw the child—it was lying on the table, wrapped up in a blanket, dead—I observed a dark livid appearance on the face of the child, as if it had been smothered—there was no appearance round the neck of any compression, but merely on the face—I went into the room where Mrs. Hodges was, and said to her, "This is a shocking business, Mrs. Hodges: how could you do this; how was it?"—she was not at all communicative to me, but at last she said she had smothered the child, by placing a pillow over its face—I asked her if the child struggled at all—she said it struggled a little—she said she afterwards took it into the other room, and put it into the copper, having previously put some water into the copper—I asked her what time she did it—her answer was, before her husband came to bed—I asked her how she could do it—she gave no answer to that—I found the greatest difficulty to get any answer from her.

Q. Had you observed any thing with respect to her milk? *A.* She had no milk for about a fortnight previous to that—I understood so from inquiries—that would very likely have an effect on the head of a person so circumstanced.

Q. What is your opinion of the state of her mind? *A.* At that time I consider she was not at all aware of any thing she did—she was not conscious—she was very ill for some time afterwards, so much so, that her life was despaired of.

Cross-examined. *Q.* You have been consulted on the propriety of suffering her to plead to-day? *A.* Yes—I am of opinion that she has to a considerable extent recovered her self-possession—I think her in a state of perfect consciousness now, and fit to take her trial—it is not unfrequent for women during parturition, and shortly after, to be affected with a mania peculiar to that state—it is called *puerperal mania*—deficiency of milk, and the milk flowing upwards, would very probably cause such consequences.

Court. *Q.* You have seen many instances, probably, of that? *A.* Yes.

Mr. Clarkson. *Q.* You observed a deficiency of milk on this occasion? *A.* Yes, as well as with her first child.

Q. Except at the period of pregnancy and parturition, and immediately after, has her conduct been perfectly rational, and like other people? *A.*

Quite so—I have known her from a child—the mania is only during the time she is pregnant, and a short time afterwards.

Q. When you questioned her, were her answers those of a person collected, or were they dogged, surly, and unconcerned? *A.* I should say they were surly and unconcerned—her conduct to the other child was particularly kind, and she was very anxious about it.

COURT. *Q.* Did you observe when you first saw her that there was a larger flow of milk than usual? *A.* She had more milk with the second child than the first, at first.

MR. CLARKSON. *Q.* While confined to her bed was there a greater flow of milk than afterwards? *A.* Yes; then the milk left her.

COURT. *Q.* The sudden leaving of the milk is very commonly the consequence of determination to the head? *A.* Yes.

NOT GUILTY—believing her to be insane at the time of committing the offence.

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500. BENJAMIN SIMPSON was indicted for embezzling and stealing the sum of 7*l.*, which he had received on account of John Merier Bosville Durrant, his master; to which he pleaded

GUILTY. Aged 53.—*Recommended to mercy by the Prosecutor, having received a good character.*—Confined One Year.

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501. BENJAMIN SIMPSON was *again* indicted for embezzling and stealing the sums of 30*l.*, and 10*l.*, which he had received on account of his said master; and also for stealing 1 gelding; upon which indictments no evidence was offered.

NOT GUILTY.

First Jury, before Mr. Recorder.

502. WILLIAM CHAUNT was indicted for burglariously breaking and entering the dwelling-house of Henry Pace and another, about the hour of ten in the night of the 6th of January, at St. Mary Matfelon, *alias* Whitechapel, with intent to steal, and stealing therein, 1 watch, value 16*l.*, the goods of the said Henry Pace, and another.

MR. PAYNE *conducted the Prosecution.*

ROBERT BAKER. I am assistant to a surgeon, and live at No. 74, Sun-street, Bishopsgate. On the night of Saturday, the 6th of January, I was in Whitechapel, between nine and ten o'clock—I was passing the shop of Messrs. Pace's, and saw the prisoner deliberately break a pane of glass, then introduce his hand, and run away—(I am certain it was past nine o'clock)—I thought, from the way in which he introduced his hand a second time, that he had taken something—I instantly pursued him, feeling convinced that he had stolen something—I overtook him about forty or fifty yards off, and laid hold of him—I charged him with the theft—he made no reply—I held him for some time—several persons surrounded me when I took him—a policeman came up—the persons intreated me to let him go, and he would no doubt have effected his escape had not the policeman come up—I then gave him in charge—I am positive I secured the person who put his hand into the shop-window—I went back with him to the shop—I do not recollect hearing him say any thing there—he was searched

in a room adjoining the shop in my presence, but nothing was found then —his jacket, waistcoat, and trowsers, were taken off at that time.

Prisoner. I found the watch which was taken from me up by the Mansion-house in the City—it was not me he saw do it—there were several there, and he picked me out from among them. *Witness.* I am positive he is the man who did it—I was not two feet behind him.

HENRY WALLIS. I am shopman to Messrs. Henry and Charles Pace, watch and clock makers, who live in the parish of St. Mary, Whitechapel—it is the dwelling-house of them both—they have no other partners. On Saturday, the 6th of January, I was attending to a customer, just before ten o'clock, and heard a pane of glass broken—it wanted about ten minutes or a quarter to ten o'clock—we have watches and clocks in the shop—I immediately ran to the window, and saw a man's hand introduced through the broken glass and take up the watch—the watch was produced to me a week after by the officer—it is worth sixteen guineas, and is the property of my masters—it is the watch I saw taken.

Prisoner. I found the watch in the street, and therefore thought it belonged to me.

GIBBS LEEDS (*police-constable H* 100.) On Saturday night, the 6th of January, I was on duty in Whitechapel, and saw Mr. Baker, who gave the prisoner into my custody—there was a scuffle between them when I went up, and other persons were about—I took him into Mr. Pace's back-parlour, and searched him, but did not find the watch—he said that a man had *shoved* his (the prisoner's) elbow through the window, and made him break the glass—I took off his jacket and trowsers, but found nothing on him—I took him to the station-house and searched him again, but found nothing—he was then taken to Lambeth-street—he was in custody from the time I took him until he was taken to prison—he could not have found the watch by the Mansion-house.

Prisoner. *Q.* Did any body offer to rescue me? *A.* There were several persons round, and a woman told me several persons were trying to rescue him from the man who stopped him, but I did not see that—when I came up, all the parties round dispersed directly.

ROBERT DAVIS. I am an officer of Lambeth-street police-office. The prisoner was brought there on the 8th of January—I did not search him then, but from information I received, I went to Clerkenwell New Prison, on the 10th, and searched him there, but found nothing on him—he had nothing about him at that time, I am sure—on the 12th, after his examination, I stripped him in our lock-up room, and when I came to his stockings, I found the watch concealed in the upper part of the stocking of his left leg, in the hollow of his knee—the part of the stocking was folded up, and this watch in it—it was quite clean and wrapped up in a bit of paper.

HENRY WALLIS *re-examined.* This is my master's watch—I know it by the make altogether—it passed through my hands several times—I put the stamp in the case myself—it was in the shop window that night—the number is 2557—it is worth sixteen guineas at a selling price—good watches are not cheaper than formerly.

Prisoner. This watch does not belong to the gentleman. *Witness.* It belongs to my master—I put the number on both the cases myself.

GIBBS LEEDS *re-examined.* The prosecutor's house is in the parish of St. Mary Matfelon, *alias* Whitechapel.

Prisoner's Defence. I picked the watch up.

GUILTY. Aged 35.—Transported for Ten Years.

503. JOHN READING was indicted for a robbery on James Terry, on the 6th of January, assaulting him, and taking from his person and against his will, 1 cap, value 6*d.*; and 1 handkerchief, value 6*d.*; his goods.

JAMES TERRY. I live with my father, at No. 12, Ashby-street, Battlebridge. On Saturday, the 6th of January, I was coming up Weller's-court with a bundle under my arm, and saw the prisoner there—he collared me and demanded my money or my life—I thought it was done seriously—there was another boy behind me who came and tripped me up, and the prisoner put his hands into my pocket—I had nothing in my pocket but a turnip—he stole my cap and handkerchief—my handkerchief was in my cap—he pulled my cap off—I do not know what he did with it—I have not found it since—I did not see him run away with it—I knew him by being called *Catchall*, which is his nickname—I did not know where he lived, but had seen him before, and heard his name called—he is rather less than me—the other boy was bigger than me—I am in the habit of having money in my pocket on a Saturday night—sometimes I have a sovereign, and sometimes only 2*s.* or 3*s.* to go to Somers-town on errands—I thought the assault was with intent to rob me—what became of my cap and handkerchief I do not know.

Prisoner. He was coming up Weller's-court—I had just come from work—I and two or three more were at play there—another *shoved* me against him, it knocked his cap off, and he ran away without it—I waited for him, and saw him on Sunday, and said to him, "Will you come down and fetch your cap, it is on the dunghill." *Witness.* He did not tell me so.

COURT. *Q.* You did not see him run away with your cap and handkerchief? *A.* No, I did not see what was done with it—I never said I saw him run away with it—(*looking at his deposition*)—this is my mark—it was read over to me before I signed it—(*The witness's deposition being read, contained these words, "The prisoner ran away with my cap and handkerchief."*)

Witness. I did not see him run away, and do not think he did run away—I pointed him out to my father on the Saturday night, and my father went home to his tea, and then went to the station-house.

Prisoner. He said to me, "You will catch it for it." *Witness.* I did not—I had never played with the prisoner, and never spoke to him.

JAMES CARTER (*police-constable S* 140.) I took the prisoner into custody in Weller's-court, between three and four o'clock on Wednesday, the 10th of January—I told him it was for stealing a cap and handkerchief from James Terry on the Saturday night—he said he was *larking* with a lot more of them, and took his cap off, but did not search his pockets—he said at the station-house that he threw the cap on the dunghill—I went there, but could not find it—it is a place where there is a regular gang of these lads, reputed thieves—I have seen the prisoner about there before.

Prisoner's Defence. I say now the same as I said at the station-house—I was merely playing—I knew the boy, and have often played with him in Ashby-street—I only did it out of a joke—he did not fall at all, and I called him back to have his cap.

JAMES TERRY *re-examined.* I was not called back at all, nothing was said to me to come back—I had my bundle still with me, that was not taken from me—I did not stop to see where my cap fell—I did not see him go off with it—I did not say so before the Magistrate—I never played with the prisoner at all—I never spoke to him.

Prisoner. Q. Was you not playing with me about three days before? *A.* Never.

NOT GUILTY.

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504. DAVID DAVIS was indicted for stealing, on the 6th of January, 5 knives, value 2*s.*; and 4 forks, value 1*s.*; the goods of Thomas Mackay.

HANNAH BARRETT. I am single, and live in the service of Mr. Thomas Mackay, landlord of the Star and Garter, in St. Martin's-lane. On Sunday afternoon, the 6th of January, I saw the prisoner go to the privy, which is close to the kitchen where I was—there had been some knives and forks on the kitchen dresser—the prisoner remained in the place some time—I had occasion to leave the kitchen, and in about five minutes I saw the prisoner come out of the kitchen and go back to the place—I heard the knives rattling, and missed the knives and forks from the kitchen—the prisoner was caught coming out of the water-closet, and the knives and forks were produced.

PETER JOSLIN. I am a policeman. I searched the privy at the prosecutor's house, and found down below in the privy five knives and four forks—the prisoner said he knew nothing about them.

Prisoner's Defence. I went to the house on Saturday—I had half a pint of beer, and went to the water-closet, and met a person coming from there as I went down.

(*Property produced and sworn to.*)

GUILTY, - Aged 32.—*Recommended to mercy.*—Confined Three Months.

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505. GEORGE MASON, *alias* M'INTOSH, was indicted for stealing, on the 11th of January, 1 butter firkin, value 6*d.*; and 45lbs. weight of butter, value 37*s.*; the goods of Edward Lees.

CHARLES WILLIAM JONES. I am in the employ of Mr. Edward Lees, of Pitfield-street, Hoxton, he is a cheesemonger. On the 11th of January we had twenty firkins of butter standing off the curb—the corner one was taken from the others—a pork butcher's lad ran over and gave us information—we ran out, and were directed down the opposite street—I and my master ran into Charles-street, and saw a man at the other end of it with a tub of butter on his shoulder—I hallooed, "Stop thief!" and almost directly heard him throw it down—while he was in the act of throwing it down my master came up to the butter, and stood by it while I pursued the thief—I cried "Stop thief!" all the way, and had him taken in Brunswick-place, where he was stopped and taken into custody—he was out of my sight for half a minute, while he turned the corner—I thoroughly believe him to be the man who had the butter—I saw no other person—I merely lost sight of him while he turned the corner, for half a minute.

Cross-examined by MR. DOANE. Q. Was it not rather dark? *A.* It was a moonlight night—I never saw more than the back of the man—I saw the firkin on his shoulder—I never saw any thing except his back, not while he had the butter in his possession—master ran out with me—he is not here—there is another witness here who ran after him—he was a stranger to me at the time—I did not see him drop the tub, but heard him drop it—the other boy ran with me, and afterwards got before me—when I first saw

the prisoner, my master was running with me, but the lad was in advance of me.

Q. Can you positively say the prisoner is the person who was running with the firkin? *A.* I have not the least doubt in my mind that he is the person—directly I reached the corner I saw him running on the same side of the way—it was a person of his appearance and figure—I have no doubt of him, nor ever had—the butter stood off the curb, waiting to be put down into the cellar.

COURT. *Q.* Did the back of the man who was running appear the same as you had seen with the butter? *A.* Yes—he seemed a person of similar appearance—there was no crowd of persons, and I saw none running with the prisoner.

EDMUND OLIVER. I live at No. 2, Gee-street, Goswell-street, and am an errand-boy. On the evening of the 11th of January, I was coming out of Mr. Kelly's house, opposite the corner of Charles-square, and saw the prisoner drop the tub of butter off his shoulder—I am certain it was him—I pursued him, and he was stopped in Brunswick-place, without my losing sight of him.

JAMES MEAGHER (*police-constable N* 33.) On the 11th of January I was on duty in Brunswick-place, and heard a cry of "Stop thief!"—I saw the prisoner running very fast—I pursued him about one hundred yards—I called to him when within a yard or two of him to stop, and he then called "Stop thief!"—I took him into custody, and the two last witnesses identified him, and said he was the person who stole the firkin of butter—I took him to the station-house, searched him, and found two duplicates and a knife upon him—I have the firkin here.

Cross-examined. *Q.* Had you been in the street for any time before you heard the cry? *A.* No—I came out of the square into the street—he was the first person I saw running—I looked behind me and saw the others running after him, calling "Stop thief!"

Q. Well, anybody running before him could have got out of sight? *A.* No, they could not—I looked round to where the cry of "Stop thief" was.

(*Property produced and sworn to.*)

JURY *to* CHARLES WILLIAM JONES. *Q.* How far is it from the spot where the butter was dropped to where the prisoner was taken? *A.* Better ,han one hundred yards—he kept running till he was taken—I saw nobody ahead of him.

GUILTY. Aged 31.—Confined Six Months.

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506. WILLIAM AXTELL was indicted for stealing, on the 4th of January, 36 trusses of hay, value 4*l.* 17*s.* 6*d.*, the goods of James Mason and another.

MR. PHILLIPS *conducted the Prosecution.*

JAMES MASON. I am a hay salesman, and am in partnership with a lady named Brown. On Thursday, the 4th of January, the prisoner came to me in Smithfield, and bargained with me for a load of hay, which was to come to 4*l.* 17*s.* 6*d.*, and according to agreement paid me 5*s.*, and said he would send the rest by the man—the giving the 5*s.* was his voluntary offer, not a demand made by me—I told him that when the man arrived with the hay he would ask for the remainder of the money—(it was to be delivered in Cromer-street)—he said the money should be sent back—

I sent Thomas Tookey, the farmer's man, with it—he is not my own servant—I gave him directions to receive the money before he delivered the hay—he was not to come back without the money—the prisoner was aware of those directions—he did not hear them given, but I told him the man would ask for the money—Tookey left with the hay about half an hour after I sold it.

Q. When the prisoner gave you the 5*s.*, what did you say to him? *A.* I said, "The man will ask you for the rest when he arrives with the hay"—he said, "Very well, I will give it to him"—the prisoner was a stranger, which made me so particular—this was about half-past twelve o'clock—Tookey was not present at the time—I sent the hay—it was the property of myself and partner—we were answerable for the money—next morning I saw the prisoner at Battle-bridge, and said to him, "You have been swindling me out of this load of hay"—he replied, "I should have paid the man, but was disappointed in taking the money from that person," pointing to a person in the road.

Q. Did he appear to you to have been in company with that person? *A.* No—he was separated from him at the time—I said, "If you do not pay for that load of hay you have bought, in the way you have agreed, I shall give you into custody"—he said, "I cannot pay because that man has not paid me"—I then gave him into custody—I remember looking through a stable-door, near Battle-bridge—I could not tell whether it was the prisoner's stable, or I should have broken it open.

Q. Did he say any thing to you about it? *A.* He said he had lost the key of the place—I saw a few trusses of hay there—I said, "What have you done with it?"—he said he had sold part of it to a friend—I merely had a casual view of the place—I suppose I saw six or seven trusses there.

Cross-examined by Mr. Doane. *Q.* Did you furnish a bill of parcels? *A.* I gave it to the man—the policeman has it—the man did not bring it back again—it was found in the prisoner's possession afterwards—I am accustomed to dealing in hay—I never knew it was the custom to pay 5*s.* in advance—I never met with it—if he had paid me the money next morning, I should not have taken him into custody—I told the carman to get the money before he delivered the hay—the prisoner had agreed to pay me for the hay, and if he had paid me in any shape, of course I should have been satisfied—I told him before the Justice that he might pay if he chose, and the Magistrate told him so too—he said, "You can pay for it now if you have the means, if you intend to pay for it you may, but if you will not, you must go to gaol."

Q. Did the prisoner tell you he had furnished some hay to a friend? *A.* He said he had sold part to a friend—he did not point out the individual he had sold the hay to—that was the man he said he was to have had some money from, and who was the cause of his not being able to pay—he said he did not intend to swindle me, and the reason he could not pay was the man disappointing him.

Court. *Q.* Is it the custom to have ready money for the sale of hay? *A.* With strangers it is.

Mr. Phillips. *Q.* Did the proposition to hand out the 5*s.* come from himself? *A.* Yes; not from me—he got the 4*l.* 17*s.* worth of hay for

5*s.*—I have never got a farthing of it since—I am in a very large way of business, and am very well known in the market.

THOMAS TOOKEY. I am carter to Mr. George Ellis. On the 4th of January I took this hay for the prosecutor to the prisoner's residence, as he represented—he took me to No. 108, Cromer-street, which is a beer-shop—that was the place to which I was originally directed to take it—I saw the prisoner when I brought the hay there—I asked him whether he had bought it, whether it belonged to him—he said "Yes"—he said "You must come along with me"—I gave him the bill—he did not ask me for it—it was for 4*l.* 12*s.* 6*d.*—it was a bill of parcels—he was to pay me that—when I gave him the bill, he said, "Come along with me"—he took me to Battle-bridge mews—I undid the ropes, and delivered the hay into the stable—there were thirty-six trusses—he took them into the stable himself—I then asked him whether he was going to pay me—he told me I must go up to Cromer-street again—I did so, and took the empty cart along with me—when we got there he went into the house—he went into the front door and came out again, and told me his wife was not at home, that she was gone to the other end of the town—I am quite sure he said his wife was not at home—I am sure he told me it was his wife—I told him it did not matter to me about his wife, I wanted the money—he said, "You must come along with me up Cromer-street, to go into Gray's Inn-lane, to my sister"—he told me to stop in Gray's Inn-lane—I did so, and he ran down the street, and came back to me, and told me his sister was not at home—I told him I wanted the money, 4*l.* 12*s.* 6*d.*, and said he must go back to Mr. Mason's with me, or else pay me then—he said, "Do you think Mr. Mason will doubt my word for 4*l.* 12*s.* 6*d.*?"—I said, "Yes, perhaps he might"—he said I was to go up into Cromer-street with him again—he did not go all the way with me—he went about half-way up the street and then sent one of his men with me, as he called him, and said he would be back in about ten minutes—I went to No. 108, Cromer-street, and waited till half-past six o'clock in the evening—I went there about three o'clock—he never came back, and I went back to my master without the hay or money.

RICHARD MARTIN. I am a policeman. I apprehended the prisoner on this charge—I asked him if he was married—he said he was not—I am certain he said so.

SAMUEL BURTON. I know the prisoner, and know the stable at Battle-bridge—our horses stand in the next stable—I saw the hay go in one evening, (I do not recollect the day of the month,) and next morning I saw a cart with a grey horse, and two men loading it—one was loading and the other putting hay out of the loft into the cart—I cannot swear it was the same hay—it was hay—it was between five and six o'clock in the morning—I saw nearly half a load put on before I left the yard, (about eighteen trusses,) and I left them loading still.

Cross-examined. *Q.* It is not uncommon to work at that time in the morning? *A.* No—I have harnessed my horse at five o'clock in the morning, before this—I did not see how much hay was in the stable.

MR. PHILLIPS. *Q.* Was it daylight? *A.* No.

MR. DOANE *to* RICHARD MARTIN. *Q.* The prisoner had several examinations, I believe? *A.* Two—he was allowed to go at large and surrender, but he did not come for two hours after the time, at the second examination, not till the prosecutor had left, and he was then remanded again.

(Mr. Doane, *on the prisoner's behalf, urged, that having purchased the hay, it was simply a debt, and not a felony.*)

GUILTY. Aged 21.—Transported for Seven Years.

NEW COURT.—*Wednesday, January 31st*, 1838.

Sixth Jury, before Mr. Common Sergeant.

507. JAMES WILSON was indicted for a misdemeanor.

Mr. Ellis *conducted the Prosecution.*

Francis Acton. I am a beer retailer, and live at No. 4, Elm-street, Gray's Inn-lane. On Saturday, the 30th of December, I saw the prisoner, between eight and nine o'clock, at my house—he came for half a pint of fourpenny ale, which came to a penny—he gave me a half-crown—I gave him 2*s.* 5*d.* in change—he took it and went away, and the ale he drank—I put the half-crown into my left-hand waistcoat pocket—I had no other money there, I am sure—my son found out that it was bad—it had not been out of my possession—I wrapped it up in paper, and put it into a drawer—in half an hour or an hour the prisoner came again for half a pint of fourpenny ale, and offered me half a crown again—I looked at it, put on my glasses, and told the prisoner it was bad—I sent for the policeman, marked the half-crowns, and gave them to the officer.

Thomas Low (*police-constable G* 84.) I took the prisoner, and received these two half-crowns from the witness—I found nothing on the prisoner but a farthing, which I gave him back.

John Field. I am Inspector of coin to Her Majesty's Mint. These half-crowns are both counterfeit.

GUILTY. Aged 25.—Confined Six Months.

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508. JAMES PEARCE was indicted for a misdemeanor.

Mr. Ellis *conducted the Prosecution.*

Thomas Holliday. I am shopman to James Anderton, a grocer—he lives at No. 26, Old-street, St. Luke's. The prisoner came to the shop on Tuesday, the 16th of January, between five and six o'clock in the evening—he asked for some articles of grocery—I cannot tell what—he gave me a sixpence—I slipped it into the till—there was other money there—soon after I found in the till a bad sixpence—that is all I know.

Evan Davis (*police-constable G* 192.) I was observing the prisoner on this Tuesday, about five o'clock—he was in company with a female in Old-street—I saw him in Holliday's shop—he came out, joined the female, and the female received something from him — I followed him along Old-street, and I saw the female part from him—I seized him by the throat—we had a scuffle—he fell down, and some sixpences came out of his mouth—I picked up two—I then went for a candle and picked up two more at the same place—they came from his mouth—he very much resisted my taking him.

James Brannan (*police-sergeant G* 20.) I assisted Davis on this occasion—I saw two sixpences fall from the prisoner's mouth, which I have here—I got this sixpence from Holliday, at Mr. Anderton's—(*producing it.*)

MR. JOHN FIELD. These sixpences are all counterfeit, and all from the same mould.

Prisoner. The only remark I wish to make is, that I should never have been placed in this situation, had it not been for James Duke, of No. 2, Davis-court, Chequer-alley—I was going down Chequer-alley, and met the woman who lives with him—she asked me to go and have some tea with her—when I went up, Duke drank a cup of tea and went out—then the woman asked me to take a walk with her—we went to Old-street, and there she gave me something to mind—not knowing what it was, I had the curiosity to look at it, and up came two policemen, and took me into custody—I was taken to the station-house and searched, and there they said that I went to a grocer's shop, which was false—the woman went there herself, and I do not know what she wanted there—this is the first time I was ever taken on such a charge—I hope you will have mercy on me.

THOMAS HOLLIDAY *re-examined.* It was the prisoner brought the sixpence.

GUILTY.* Aged 22.—Confined One Year.

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509. WILLIAM JONES was indicted for a misdemeanor.

MR. ELLIS *conducted the Prosecution.*

PHILLIP HARROLD. I am a shoemaker, and live at No. 10, King-street, Islington. I have seen the prisoner several times—on the 16th he brought a crown-piece to my shop, with intent to buy a pair of shoes, about five o'clock in the afternoon—I gave him the shoes—they came to 2*s.* 9*d.*—he gave me a bad crown—I said it was bad—I was packing up the shoes—I did not give them to him—he said he did not know it was bad, and returned me the 2*s.* 3*d.*—he asked me to let him have the crown-piece—I refused, and he said he would fetch some person to make me—he went away, and I did not see him again till the 21st, when he was in custody—I gave the crown to my daughter to take care of.

ELIZA HARROLD. I was in my father's shop when the prisoner came in—I received a crown from my father, and put it into my pocket—I kept it separate—I marked it, and gave it to the officer—it had not been out of my sight before I marked it, and gave it him.

HENRY EVANS. I am a beer-seller, and live in Cumberland-row, Islington. The prisoner came to my shop between five and six o'clock, on Tuesday evening, the 16th of January—he called for a pint of 6*d.* ale, which came to 3*d.*—he presented this half-crown—I had suspicion that it was bad, and sent my apprentice Stocks to get change for it—in the meantime the prisoner said he was in a hurry for his change—I said I had sent out for change—he said, "Very well"—Stocks came back and said it was bad—the prisoner said he had no more money—I sent for an officer—he went out, and left his jug and the ale behind him—he was brought back by the constable—in the meanwhile one of the officers came in, and took the half-crown and marked it, and then I put it into my pocket—the prisoner had a hat on when he was in my shop, but when he was brought back he wore a cap.

GEORGE STOCKS. I received the half-crown—I took it to the hair-dresser's at the corner—he said it was bad—I took the same one back, and the officer had it.

CORNELIUS HANNAN (*police-constable N* 213.) I took the prisoner in

consequence of an alarm—I took him to Mr. Evans—he was taken and discharged.

CHRISTOPHER NORTH (*police-sergeant N* 17.) I took the half-crown, marked it, and left it in a drawer in the station-house.

JOHN COLLINGS (*police-sergeant N* 24.) I found the half-crown in the drawer at the station-house.

WILLIAM CHING (*police-constable N* 61.) I took the prisoner on the 23rd of January, and received this crown from Eliza Harrold.

MR. JOHN FIELD. These half-crowns are both counterfeit.

GUILTY. Aged 22.—Confined Six Months.

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510. JOHN KING was indicted for a misdemeanor.

MR. ELLIS *conducted the Prosecution.*

ELIZABETH NOTTAGE. I keep a shop at No. 80, Parson's-street, Wapping. I saw the prisoner in my shop on Sunday evening, at half-past eight o'clock, on the last day of December—he asked the price of oranges—I said, "Two for three halfpence"—he said, "Give me four"—he laid down a half-crown—I said to my little grandson, "Come and look at this"—he said, "It is good," and I gave the prisoner 2*s.* 3*d.*—he then said, "I think I have got halfpence"—I gave him the half-crown back—he then said he had not halfpence, and gave me a bad half-crown—I gave him the change, and as soon as he was gone the child said it was bad, and ran out after him with the half-crown in his hand.

HENRY MITCHELL. I was in my grandmother's shop—I saw the prisoner put down a good half-crown—I said it was good—he took it up again with one hand, and said he had got halfpence enough—then he said he had not, and he put down a bad half-crown—he went out, and directly I found it was bad I pursued him, but did not find him—I had the half-crown in my hand—when I came back I gave it to my grandmother—I saw another man outside the shop, who ran away with the prisoner.

Prisoner. He said he gave the half-crown to the policeman. *Witness.* I gave it to my grandmother when I came back, and she gave it to the policeman directly.

WILLIAM TURNEY. I am another grandson of the witness. The prisoner came in and asked for four oranges—he put down a half-crown, and then he said, "I think I have got halfpence"—he said, "No, I have not," and then put down a bad half-crown—he had taken up the first one.

WILLIAM PERCY (*police-constable H* 71.) I was sent by the lad after the prisoner—we could not find him—I got this half-crown from Mrs. Nottage—(*producing it*).

JOHN HAWKINS. I am son of Martin Hawkins, he keeps the White Hart, Rosemary-lane. I saw the prisoner about a quarter past three o'clock on Thursday, the 11th of January, he came with another young man for half a quartern of gin, which was 2*d.*—he offered me a half-crown—it was bad, and I called my mother—I gave the half-crown to my mother—I went for the policeman—I stood inside the counter—I put my back against the street door to keep him in, and got the officer—the prisoner had the half-crown—the other man ran away.

MARGARET HAWKINS. I got the bad half-crown from my son—I returned it back to him, and told him to give it to the officer—I knew the prisoner—he had been at my house about three weeks before, and he

gave me a bad half-crown then—I gave him 2*s.* 4*d.* change—I showed it to the person in the bar—he snatched it out of the bar and swallowed it.

JOHN HAWKINS. I got this back from my mother—I went out into the street, and gave it to Driscoll.

PIERCE DRISCOLL (*police-sergeant H* 24.) I received this half-crown, and took the prisoner—he had this good half-crown in his hand.

MR. JOHN FIELD. These half-crowns are both counterfeit.

Prisoner. I was taken into custody on the 11th, for uttering a counterfeit half-crown, and remanded till the Tuesday—it was uttered at a public-house kept by Mr. Hawkins—I went there and had half a quartern of gin, for which I gave a half-crown—the boy ran out, and I was taken into custody—afterwards, a woman belonging to the green grocer's said that I had paid one bad half-crown to her on the 14th, when I was in custody, but she could not swear to me; but a little boy was standing there, he swore to me; it was a young man of the name of George Williams, and a young woman, and they had two months, and were fined 5*l.* for uttering —when I was remanded to the lock-up place Williams told me of it.

GUILTY. Aged 22.—Confined One Year.

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511. GEORGE EDWARDS was indicted for a misdemeanor.

MR. ELLIS *conducted the Prosecution.*

SARAH CLARK. I am the wife of Edward Clark, he is a warehouseman, living at St. Pancras. I saw the prisoner, between four and five o'clock on the 11th of January, at the White Bear-tap—I was attending there—he came in, and appeared as though he had hurt his leg—three females followed him in directly afterwards, and said they hoped he was not hurt—he said, no, what would they take—one said a small glass of brandy—he gave me a crown-piece—it was a bad one—I refused it—he gave me a half-sovereign —I gave him a crown, half-crown, and 2*s.* 3*d.*—in a minute after he asked me to give him 2*s.* 6*d.* for the half-crown—I feel sure the half-crown I gave him was good, but I could not swear it was not the same he gave me back—I suspected he had changed it for a bad one, and asked a gentleman to give me change for it—he refused it—I returned it to him—the gentleman advised me to send for an officer—the prisoner said it was the same I had given to him—I was certain it was not, and he threatened to summons me for it the next morning—I then sent for an officer; and while he was being kept, he attempted to swallow the half-crown, but was prevented.

Prisoner. On the first examination she stated that I offered no crown, but only the half-sovereign. *Witness.* I stated the same that I do now.

GEORGE GYMER. I was present—this half-crown was handed to me to give change—it was handed back to the prisoner—he took it in his hand and walked about, and then I saw something in his mouth—one of the people seized him, and it fell from his mouth—a young man caught it and marked it, and gave it to the officer.

EDWARD WILSON. I am a porter at the Coach and Horses, Holborn. I was called in, and saw the prisoner—I fetched the policeman, and saw the prisoner, two or three minntes before the officer came in, put something into his mouth—I seized him, and the half-crown came out—a man caught it, and marked it, and gave it to the officer—I was at the justice room—

the prisoner was searched—he then appeared very ill, and retched, and two crown-pieces and one halfpenny came out of his mouth—they were warm and smoking with heat.

Prisoner. He said he was not positive that they came from my mouth—he saw them on the ground. *Witness.* He had been stripped naked before, and they could not have come from any part of his body but his mouth—they were warm and wet, and he was retching at the time—his face was down.

Prisoner. His back was towards me, he could not see them come from my mouth.

Joseph Ingham. I was with Sarah Clark on the day the prisoner put the bad half-crown into his mouth, and I caught it as it came from his mouth.

Prisoner. I was going to bite it to try if it was bad—I did not have it in my mouth.

Henry Steward. I was at Guildhall when the prisoner was searched—after he had been searched, and his clothes put on again, I saw him retch very much, and I watched him very closely—I saw him going to put his right hand up to his mouth, but I prevented him by knocking it down, and two five shilling pieces and one halfpenny came out from his mouth.

Prisoner. In coming from the White Bear Tap he said to one of the witnesses, "I will make an Old Bailey job of this"—the other said, "Will you?" "Yes," says he—the witness said, "How can you?" *Witness.* I did not say so—I am a cabinet-maker by trade, and live at No. 7, Evangelist-court—I never had such a job in my life before.

Prisoner. The crown-pieces never came from me as I am, here a living sinner—he picked them up while I was putting my boots on—he said, "Look here, what is here?" and the other man said they came from my mouth—this witness is capable of swearing any thing—if he gets his expenses this sessions, he will have somebody else next time.

Thomas Herdsfield. I was sent for to the White Bear Tap—I found a watch, two shillings and sevenpence in copper, in the prisoner's pocket, all good—I picked up two crown-pieces and a halfpenny—I do not know who they came from—I did not see him drop them—this is the half-crown I got from Ingham.

Mrs. Clark *re-examined.* The price of the brandy was threepence.

Mr. John Field. This half-crown is counterfeit, and also the two crowns, and they are both alike.

Prisoner's Defence. Those two crown-pieces never were about my person at all—the witness must have put them down on the floor, and swore that they came from my mouth—they were never in my possession at all, if I were on my death-bed this minute—my solicitor said the trial would not come on till Thursday, but I heard last night that I was to be tried, and then I could not write—I wanted to write to Mr. Moore, a bootmaker, in Ironmonger-row, near St. Luke's—I was with him eight years nearly, I have left him nearly three years—I wanted to send for him and another witness—I was in liquor at the time—that made the witnesses take advantage of me, and produce the two crown-pieces.

GUILTY. Aged 23.—Confined Two Years.

512. WILLIAM BROWN and ANN BROWN were indicted for a misdemeanor.

NOT GUILTY.

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513. JOSEPH HASLAR was indicted for perjury.
(Upon which no evidence was offered.)

NOT GUILTY.

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514. ARTHUR BATTERSBY, *alias Henry Napier Disney*, was indicted, for that he, on the 15th of June, at Wellesbourne, in Warwick, did marry one Ann Muckleston, spinster; and that he, whilst he was so married, to wit, on the 14th day of August, 1837, at St. Martin-in-the-fields, feloniously did marry and take to wife one Sarah Ann Stovin, the said Ann, his former wife, being then alive; against the Statute, &c.

MESSRS. CLARKSON *and* BODKIN *conducted the Prosecution.*

REV. JOHN MUCKLESTON. I am a clergyman of the Church of England, and am the brother of Ann Muckleston. My sister became acquainted with the prisoner in the year 1826—my father was sub-chanter of Litchfield Cathedral—he and his family were then residing at Wellesbourne, in Warwickshire, but at the time the prisoner became acquainted with her, they were at Leamington—that acquaintance led to a marriage between the prisoner and my sister, which I performed at the church at Wellesbourne, in Warwickshire—the parties were the prisoner and my sister Ann—I have not been living from home lately—I last saw my sister about three or three and a half years ago—she was residing with my father just before the marriage—I was not part of the family—I was living in Litchfield—I saw my sister in London—it might be about four or five weeks after the marriage—I believe they were married on the 15th of June, 1826—I saw her again about a couple of months after the marriage—she has remained under my father's roof from that time—my father has not remained in the same place from that time till now—he has been from ill health travelling from place to place, and is now in Devonshire—my sister has lived under his roof, where he has been—if any body inquired at Wellesbourne there was no difficulty in finding if she were alive—her family were perfectly well known—in consequence of circumstances after this marriage, a divorce was obtained at the instance of the family, *a mensa et toro*, and we lost sight of the prisoner from that time to this—we had no certain intelligence of him since two or three months after the marriage—my sister returned home very ill.

Cross-examined by MR. DOANE. *Q.* Had you known the prisoner much before the marriage? *A.* Very little—I was resident elsewhere—I had seen him before, but only for a short time—I came to perform the ceremony—he had been known to my father and sister for perhaps three months—this marriage took place at Wellesbourne Church, in Warwickshire—my father has been living in various parts of the country—he went to Bangor, where he was resident for three years subsequent to the marriage, and from thence to Tenby, in South Wales, and was there four or five years, and from thence to Teignmouth, where he is now resident—I cannot say what distance that is from Wellesbourne—perhaps it is 150 miles, he has been residing from 1826 at these three places—I have not seen

my sister for three or three and a half years—my father was present at the ceremony also, two other sisters, and Mr. Grenville now, he was a Mr. Hughes then—the prisoner is the first husband my sister has had—he was married in the name of Battersby.

Mr. Clarkson. *Q.* How old was your sister? *A.* Nineteen or twenty—my father has been in a bad state of health for twenty years—if any inquiry had been made for him in Wellesbourne, in Warwickshire, there would not have been the least difficulty in ascertaining where he was—if any inquiry had been made of me by the prisoner or any one, I should certainly have told them—I was living at Litchfield, and have been ever since—the prisoner knew that I was there—I was sent for from there to marry them—that is forty miles from Wellesbourne—the prisoner never made any inquiries of me as to where my sister was.

Thomas Moss. I am in the service of the Rev. D. Muckleston. I have lived with him sixteen years—I was present at his daughter's marriage with the prisoner—I went to church with her—they left Wellesbourne for London that day—I think the young lady returned in six or seven weeks—I went to London for her—she was in John-street, Pentonville—the prisoner was not with her—I saw Mrs. Battersby on the 1st of this month, she was then alive.

Cross-examined. *Q.* Did you see her in town? *A.* No, at Teignmouth, in Devonshire—she has been residing with her father ever since, except a few weeks, when she was on a visit.

Court. *Q.* Supposing letters had been sent to Wellesbourne, would they have been forwarded to you? *A.* Yes, they were always sent—we left word at the Post Office, and they always were forwarded.

John Charles Stovin. I am brother of the young lady who was married to the prisoner—her name was Sarah Ann Stovin—I procured a copy of a register of a marriage in the parish of Wellesbourne—I examined it with the register—(*this is it*)—I also procured copies of the certificates of the marriage of my sister—(*these are them*)—I examined them with the several registers, and ascertained that they were true copies.

Cross-examined. *Q.* How did you examine this certificate? *A.* By the church books—it was first copied by the clerk, and signed—I did not see it copied—I tested it by the books—I read in the original register of marriages in that church, and examined this with the book to see that it was correct—no one read it over to me—I compared them line by line—the clerk produced the register—I believe he had copied it out—the curate gave me the book—I examined every line of this with the register—it is correct—(*the following certificate were here put in and read*)—

"Wellesbourne Church, 15th June, 1826, Arthur Battersby and Ann Mucklestone, both of that parish, married by licence."—"St. Michael's Chapel, in the parish of St. Martin-in-the-fields, 14th August, 1837, Henry Napier Disney and Mary Ann Stovin, both of full age, married by licence."—"Paddington Church, Middlesex, Nov. 18, 1837, Henry Napier Disney, batchelor, and Sarah Ann Stovin, spinster."

Mr. Clarkson. *Q.* Did you think it necessary to call on the prisoner on the 16th of August last? *A.* Yes—he was lodging then in the Strand—I had some conversation with him about his views—he did not say one word to me of his having married my sister—I am sure this was after the 14th of August—I met him in the street about a month ago, I then gave him in charge of the officer—he had quitted my sister some time—I believe it

was on the 29th of November—I have taken my sister under my protection—the least mention of the subject has been likely to throw her into fits which she has been very subject to ever since the occurrence—she is not in a fit state to be brought into Court or give evidence on this subject—I have been obliged to call in a person used to the care of insane people, recommended by Dr. Monro—that was done under the advice of the medical men who have attended her.

Cross-examined. *Q.* When you first met the prisoner you were not then aware he had married your sister? *A.* No; I was not—I was aware of it, I believe, two days afterwards—I believe I did call on him after I knew he was the husband of my sister—I certainly did call on him frequently—that was at the house of a Mrs. Lewis, who lives at No. 51, Manchester-street, Manchester-square—they were there perhaps three weeks—they afterwards removed to a cottage in Dudley-grove—I visited them there—I saw Mrs. Lewis there once or twice—I have most likely conversed with her about the prisoner—I of course have spoken to her on that subject as well as others—I was at that time on terms with the prisoner—upon my oath, I did not know at that time he had a wife living—I once taxed him with a report which I heard, but it was afterwards flatly contradicted, and I gave no farther credence to it—that was before my sister went to reside in Manchester-street—my sister resided in Charles-street, but the prisoner never resided there—my sister was a ward in Chancery, and did not wish to have the marriage known till she became of age—she became of age before they were married the second time, and then they lived together in Dudley-grove—I know my sister's handwriting, I believe this is her writing—(*looking at a paper*)—I cannot swear to it.

MR. BODKIN. *Q.* At the time you taxed him with the rumour about his former wife, what answer did he make? *A.* He flatly denied having then another wife living.

EMILY DRUMMOND. I was present at the marriage of Miss Stovin to the prisoner at the Chapel of Ease, in Berney-street, on the 14th of August—the prisoner is the person who was married to her.

ABRAHAM NEWLAND. I have been acquainted with the prisoner for some years—he began to call himself Disney about nine years since—he was doing nothing at that time in town, and I lost sight of him for many years—I never knew him in the army—in July, 1835, I happened to meet him in London, near Hungerford-market—I think he went by the name of Disney then—I met him again in 1836—I saw him on two or three days; on one occasion he alluded to his wife's family—he merely said that some member of his wife's family was residing in the country, at a place he mentioned—I think it was Litchfield—he did not mention his wife's name—it was the conversation of a moment—he did not ask what I thought of any thing he was about to do—he was over here I understand on leave of absence—he spoke of returning to Spain, and making purchases for officers who were there—he said at the conversation before, that it was probable he would go to Litchfield, or the place he mentioned, where some member or branch of his wife's family resided—he said he was very much attached to Miss Stovin, and he should be very sorry that any allusion should be made to the previous circumstances, to his previous marriage—this was after the marriage—he said her property was not as large as the papers represented it by any means.

Cross-examined by Mr. Phillips. *Q.* Were you before the Magistrate? *A.* No, I was subpœnaed last night—I was in Whitecross-street prison—I asked the prisoner for money when I became acquainted, through the means of the papers, that he was about to be married—I sent to him to try if he would relieve me from my difficulties—I did not name any amount, I asked him to relieve me from my difficulty—that would be getting out of prison—I was in there for 120*l.* or 150*l.*—I mentioned the amount to him, but never demanded any sum from him—I sent a person to ask a loan—I do not recollect that I named any amount—I said a sum of money, 600*l.* or 700*l.*—I never named any sum to him myself—I did not solicit any myself—I do not recollect asking him for more than that—my messenger was a person of the name of Becker, of Vine-cottage, Charlton-place, New-road—I did not name any sum—I said he ought to give me 600*l.* or 700*l.*, on account of my knowing all the circumstances of the case—I did not send any message by Becker—he knew all the circumstances before—we talked them over, and we then said that I was labouring under very great difficulties, and very much distressed; and I said to Becker, if he went there he might get some money, that would relieve me and assist him—I had no claim upon the prisoner.

Q. Was not this conveyed to him, that if he did not come down handsomely, you would turn round upon him? *A.* No, that was not sent—it was said that we knew the circumstances of the case, and he had better give 600*l.* or 700*l.*—we did not get the money, and I am here as a witness, but the business had become known to the prisoner's friends before I said any thing—the thing could not have been known except through me or the prisoner—I expected he would have given me 600*l.* or 700*l*—I founded that on his fear that I would come against him—if I had got this money, I should have been silent on the subject—I gave no information till the family knew it—Mr. Becker brought Mr. Stovin to me after the prisoner refused the money—I did not know that Becker was going to Stovin's—he met Mr. Stovin accidentally—when Becker told me that the prisoner would not give 600*l.* or 700*l.*, I said, perhaps he would give something less—I said if he will give enough to release me from prison—from 120*l.* to 150*l.*—I did not say "We will come down a little lower"—I did not say, "D— the fellow, we will appear against him"—I said we would not do any thing, we would be silent—I would have been silent under all circumstances.

Q. How much was Becker to have had of the spoil? *A.* He was to have had a portion according to what we got—if 150*l.* was got, he was to have had half, but if 700*l.* was got, he was not to have 350*l.*—we were to share the money, but he was not to have half of the large sum—I do not recollect what he was to have of that—I remember an advertisement which I drew up—it is lost—it was an advertisement drawn up for the purpose of showing to Disney, that we might get the money—it was relating to his former marriage—it was an advertisement which I and Becker threatened to put into the paper, exposing the former marriage of Disney, and I told Becker to threaten him with it, but I told him never to do it—I did not intend to do it—I would not have done it—I would not have injured him to that extent.

Q. How much was the money, or the acceptance you demanded of him, for the purpose of keeping that back? *A.* 600*l.* or 700*l.* was the most I ever asked of him—I know there was an acceptance spoken of—the former

I forget, but the latter was 150*l.*—I do not recollect the amount of the acceptance I first demanded—to the best of my recollection it was not 1000*l.*—I will not swear it was not mentioned, but I do not recollect it—I mentioned 3000*l.* to Becker, but I never intended that he should ask that.

Q. If he had got the 25,000*l.* as mentioned in the papers, you would have had no objection to have *fleeced* him of 3000*l.*? *A.* I certainly would have asked him for it—Mr. Becker was in prison—I met him there—he was there before I went—he is not there now—we were in the same ward—I had not known him before—I saw him this morning, and we had some conversation, but not in reference to my evidence, nor on reference to any message, but on the subject of the trial.

MR. BODKIN. *Q.* At the time you were carrying on this sort of attempt, were you aware that the man's first wife was alive? *A.* I did not know that she was alive—I supposed she might be alive—I have been an acquaintance of the prisoner's for some years—I did not know Mr. Stovin, nor any of his family, before this circumstance.

(General de Lacy Evans, M.P., gave the prisoner a good character.)

GUILTY—Aged 30. Transported for Seven Years.

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515. GEORGE ROBINSON was indicted for stealing, on the 25th of July, 1 printed book, value 1*l.* 5*s.*, the goods of Archibald Mitchell, to which he pleaded

GUILTY—Aged 22.

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516. GEORGE ROBINSON was *again* indicted for stealing, on the 21st of July, 3 printed books, value 15*s.*, the goods of Benjamin Nock, and another, to which he pleaded

GUILTY—Aged 22. Confined One Year.

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517. JOSEPH DYKE was indicted for stealing, on the 5th of January, 1 pair of boots, value 1*l.* 6*s.*, the goods of Robert Chambers, to which he pleaded

GUILTY—Aged 22. Confined Three Months.

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518. WILLIAM WYNNE was indicted for stealing, on the 14th of December, 11 sheets, value 12*s.*; and 1 blanket, value 1*s.*; the goods of Elizabeth Munday; also for stealing, on the 1st of January, 4 sheets, value 9*s.*, the goods of Elizabeth Munday, to which he pleaded

GUILTY—Aged 37. Confined Six Months.

First Jury, before Mr. Common Sergeant.

519. MARY SHIRLEY was indicted for stealing, on the 12th of October, 1 pair of shoes, value 4*s.*; 1 frock, value 2*s.*; 7 shillings, and 10 sixpences, the goods and monies of Henry Harrison.

HENRY HARRISON. I live at No. 2, York-place, Walbrook-row, Hoxton, and am a costermonger. I know the prisoner—she came to my house on the 9th of October, and said she had no work—I lodged her, and victualled her, to do for my family—she remained there till the 12th, and then she went after I went out in the morning—I left my girl some money to buy some flour and potatoes—I went out about my business—when I came back, the prisoner had absconded—my trunk was broken open—the

shoes were gone from under the bed, and the frock and money from the box.

MARY ANN HARRISON. I live with my father. I remember the prisoner being at home that day—she was to make a pudding, but she did not do it—she asked me to go and fetch her half a pint of porter—when I came back she had got a bundle under her arm, and I said, "What is that?"—she said, "What is that to you?"—she went away, and said she was going to my father—nobody else came there and broke the box—my brother found the box was open after she was gone—I do not know how long—my father came home before twelve o'clock, and it was before that that she went, a good while—no one else came to the house—I was gone ten minutes for the beer.

THOMAS ZINZAN (*police-constable N* 67.) I apprehended the prisoner in Shoreditch workhouse—I told her I wanted her for felony, for robbing Mr. Harrison—she made no reply, but cried very much, and said she was very sorry.

GUILTY—Aged 23. Confined Three Months.

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520. JOHN SMITH was indicted for stealing, on the 11th of January, 5lbs. weight of pork, value 2*s.* 6*d.*, the goods of Henry Long.

HENRY LONG. I live in King-street, St. Giles's, and am a cheesemonger. I sell pork—I saw this pork safe about six o'clock on the 11th of January—I was sitting in my parlour, and saw the prisoner come in and take it out of the window—I ran after him, and to avoid me he threw the pork into a cellar—I took him—this is the piece of pork—it is mine.

Prisoner. I was coming up St Andrew's-street, and this man came and said he saw me steal some pork—that is all I know of it.

GUILTY*—Aged 13. Transported for Seven Years.

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521. CHARLES HALL was indicted for stealing, on the 29th of November, 1 box, value 4*s.*; 1 coat, value 3*l.* 10*s.*; 1 pair of drawers, value 5*s.*; 1 bag of oatmeal, value 7*s.*; 1lb. of tea, value 5*s.*; and 1 pot of jam, value 3*s.*; the goods of William Paterson.

WILLIAM PATERSON. I am a clerk. On the 29th of November I had a box—it contained a coat, a pair of drawers, and the other things, I believe, but I could not swear it, as I had not opened it—it came from my relations in the north—it arrived at the Leith and Berwick wharf, and came to Mr. Davison in Cannon-street—I got it off the cart at Whitechapel church, and was carrying it down the road, when a man dressed like a porter came to me, and said I had got a very heavy load—I said I had—he said he would put me in an easier way of carrying it—he put it on his shoulder, and carried it a little way, and let it fall—we took it up, and carried it to the Anchor and Crown, in Great Garden-street, when the prisoner came and stopped me, and wanted to know the contents of the box and where I got it from—I said had he authority for stopping me—he said he would tell me that by-and-by, and it was agreed we should take the box home, and see the contents of it there—we came out, and there was another man standing by the box beside the porter-man—we carried it a little further, and went to the next public-house, to Sir George Osborne's Head, in Princess-street, to ask the landlord permission to leave it there, till I went back to the City to satisfy him where I brought it from; and when we came

out, the two men were gone with the box—I had left it with this porter-man and another man—neither of the men I left the box with are here—the prisoner had stopped me with the box—he would not allow me to carry it—I did not see the prisoner speak to either of the two men—he did not appear to know them—the prisoner and I were gone into the house, to ask leave to let the box lie there, till I went back with him to the City, to show where I got the box from—the prisoner asked to know the contents of the box, and said he suspected I had stolen it—I went after the other two, and this man was gone when I came back.

NOT GUILTY.

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522. ABRAHAM LAZARUS was indicted for stealing, on the 9th of January, 1 blanket, value 5*s*., the goods of James Thomas Reynolds.

JAMES THOMAS REYNOLDS. I keep the Horns public-house, in Whitechapel. The prisoner came to my house a few times—he came on the 9th of January to sleep there—I watched him, and when he went out in the morning, I found this blanket on him, which I had marked the night before.

Cross-examined by MR. PHILLIPS. *Q.* Had you known him before? *A.* He lodged at my house about seven or eight nights—ours is a public-house.

(The prisoner a received good character.)

GUILTY. Aged 17.—Confined Two Months.

Fifth Jury, before Mr. Sergeant Arabin.

523. ANN LEDEN was indicted for stealing, on the 3rd of January, 2 half-crowns, 7 shillings, 7 sixpences, and 1 fourpenny-piece, the monies of Samuel Alabaster, her master.

SAMUEL ALABASTER. I live at No. 31, Widegate-street, Bishopsgate, and am a baker. The prisoner lived with me four weeks—I had missed money—the first was from my trowsers pocket—when I went to bed I marked some shillings, sixpences, half-crowns, and other money, and put it into my waistcoat pocket—I put my jacket on the balustrade—I missed some money on the 4th and 5th, and on the 5th I sent for the policeman, and he searched her—I asked her what she brought from Ireland—she said 1*l*.—I said, "Will you show me?" and she took me up stairs to her bed-room—we searched for a quarter of an hour, and looked about some time, and then she took me into another bed-room—she then seemed at a loss—then the policeman took us into her bed-room, and pulled the bed from the wall, and it fell down—this is it—(*looking at it*)—it is all marked—I can swear to it—these two sixpences had been marked the day she was taken, and there was a half-sovereign as well, but that we did not find—she slept in the adjoining bed-room to me.

FREDERICK KIRBY DARLINGTON. I am a policeman. On Friday, the 5th, I was sent for—the prosecutor accused the girl of robbing him—I asked him what he had lost—he said, "Shillings and halfpence, sixpences and half-crowns"—I found this money, but I asked her first what she brought from Ireland—she said "About 1*l*," and then we went up stairs and searched all about—I could find nothing, and then she said he had better go into Mrs. Alabaster's room, and look into a drawer—I went there, and found nothing—I then went back to her room, and removed the bed-

stead from the wall, and this pocket fell down—I asked if it was hers—she said "Yes"—I asked what it contained—she said "About 1*l.*"—that pocket contained the whole now produced, all but two sixpences, which I found afterwards.

Prisoner's Defence. I had about 6*l.*, and was in that place about a month—when I was there a week he asked me if I wanted my wages—I said no—he then said he suspected me—he used to go to my bed to lie down in the afternoon, and he must have put this into my pocket, and marked it—when he brought the policeman I said I had 6*l.*—they thought I said 1*l.*—he wanted to take liberties with me, but I would not let him, and he said he would serve me out in this manner.

SAMUEL ALEXANDER *re-examined.* I am married, andmy wife lives at home with me—I never took liberties with the prisoner—one of my young ones slept with her, who is about five years old—when I lie down, it is of an afternoon, on her bed if my own bed is made—I pass through her sleeping room to go to my room.

GUILTY. Aged 17.—Transported for Seven Years.

(There was another indictment against the prisoner.)

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524. JOHN THOMPSON was indicted for stealing, on the 8th of January, 1 till, value 4*s.*; 8 half-crowns, 10 shillings, 12 pence, and 10 halfpence; the goods and monies of Thomas Key.

WILLIAM JAMES BUDD (*police-constable S* 123.) I was on duty, on the 8th of January, at the corner of Milner-street, Euston-square, about six o'clock in the evening, about 100 yards from Mr. Key's—I was standing near the enclosure of Euston-square—I saw two men, and directly after I heard some halfpence fall, and immediately a till—the prisoner then passed me, and dropped a halfpenny—as soon as he passed me he ran away—I called "Stop thief"—he was stopped by an officer, and brought back—as we were going across the road, he put his hand up, lifted his hat, and the halfpence fell down—he said, "There they are"—I then went and fetched the till, and as soon as he saw it, he said, "That is not the thing"—I said, "Then it was in a thing"—he said, "Yes, but that was not the thing"—we proceeded towards the station—I thought it best to search him—he refused, and made use of very bad language—we were obliged to put him on his back, and I took 6*s.* and one half-crown out of his trowsers pocket—I found at last 2*s.* 8½*d.* in coppers—the other man made his escape—I took the prisoner to the station-house, and searched him again, and found a latch-key on him—the till is here.

Cross-examined by MR. DOANE. *Q.* What part of Euston-square was this? *A.* Near to Milner-street—the New-road runs through the square—it was next the houses where this was, on the footway next the enclosure—it was in the road next the houses—there is an iron railing that runs round the enclosure—next to that is a footway, then a road, and then a footway next the houses, and this was on the footway next the iron railings—when I said it was in the road, I meant it was on the footway next the iron railings—it was near six o'clock—I was standing on that footway—these people were within twenty yards of me—I had been standing there perhaps half a minute—I was on duty in Euston-square—I could see these people stop, and saw they had something and stood still—I had not been there more than half a minute—they came

towards me—I did not see them come into the square—when I did see them, they were in the square—they were always in the square when I saw them—I got 6*s.* and one half-crown, which I got out of the prisoner's pocket—there was no more that I found.

JOHN HEALEY (*police-constable E* 95.) I was in Ainsley-street—I heard a cry of "Stop thief"—I pursued towards the New-road, and saw the prisoner come towards me from across the New-road—I stopped him—he struck at me several times with a stick—he did not strike me—I took him till the other officer came to me—we took him across the road—he took off his hat, and the coppers fell down from his head.

THOMAS KEY. I live at No. 10, Milner-street, Euston-square—this till is mine—it was safe at a quarter-past five o'clock on the evening of the 5th of January—it contained about 30*s.* in silver, and about 4*s.* in copper—there were eight or ten half-crowns, I dare say—I was in the house above, and went down to the bakers who were under the shop, and was absent about two minutes—I did not see any thing of the robbery.

Cross-examined. *Q.* You do not leave your till locked? *A.* We generally do—the till was in the counter—I was quite alone that evening—I saw it safe at a quarter-past five o'clock.

MR. DOANE *stated the prisoner's defence to be, that he was going along the square, and kicked against something, which proved to be the till containing the money in question; that he put it into his hat, and being in custody of the officer, he did the best he could to get away.*

GUILTY. Aged 23.—Transported for Seven Years.

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525. AMELIA DUNN was indicted for stealing, on the 29th of November, 1 brooch, value 6*s.*, the goods of Elizabeth Buckee, her mistress.

ELIZABETH BUCKEE. I am single, and am a corn-chandler. The prisoner was my charwoman—I think she worked for me about two months—I missed property at various times—I missed a brooch—I made inquiries, and saw it found at a pawnbroker's—I taxed her with stealing it before I found it—she denied it strongly, and then admitted she took it.

THOMAS BISHOP. I am a pawnbroker, and carry on business at No. 2, Little Warner-street. I have this brooch, which was pawned by the prisoner on the 29th of November.

(*Property produced and sworn to.*)

(The prisoner received a good character.)

GUILTY. Aged 24.—*Recommended to mercy by the Prosecutrix.*—Confined Six Months.

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526. ELIZABETH HOLMES was indicted for stealing, on the 6th of January, 9½lbs. weight of pork, value 5*s.*, the goods of William Gunston.

HARRIET AUSTIN. I know the shop of William Gunston, he is a cheesemonger. On the 6th of January I was in the shop, in Exmouth-street, and saw the prisoner take a hand of pork from inside the door—I told Mr. Gunston's young man of it—he went and fetched her back, and, on opening her cloak, found she had also a loin, which she took from the shop as well.

CRANLEY BRITNELL. I am in the service of Mr. William Gunston. The young woman told me of this, and I took the prisoner three or four doors from the shop with this pork, which is my master's.

Prisoner. I did it through distress.
(The prisoner received a good character.)
GUILTY. Aged 46.—*Recommended to mercy by the Jury.*—
Confined Three Days.

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527. JOHN MACDONALD and WILLIAM SMITH were indicted for stealing, on the 16th of January, 27lbs. weight of pork, value 14*s.*, the goods of Isaac Tomlinson; to which
MACDONALD pleaded GUILTY. Aged 26. } Confined Six Months.
SMITH pleaded GUILTY. Aged 20. }

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528. JOHN STEWART was indicted for stealing, on the 7th of January, 1 snuff-jar and cover, value 3*s.* 6*d.*; and 2oz. of snuff, value 8*d.*; the goods of George Corner; and that he had been before convicted of felony.

MARY SHELTON CORNER. I am the wife of George Corner, we keep a snuff shop, at No. 34, Clipston-street. I missed a snuff-jar—it was taken from the counter—this is it—(*looking at it*)—I missed it on the 7th of January, about half-past five o'clock in the evening—I do not know the prisoner.

THOMAS CARTER. I am a policeman. I was on duty, and met the prisoner in Bainbridge-street, St. Giles's, three quarters of a mile from the prosecutor's—he had got a bundle in a handkerchief—I asked what he had got—he said, "A jar"—I asked him to let me look at it, and found this jar—he said he picked it up in the street, and there was some snuff in it—when I took him before the Magistrate he said he took it in Cleveland-street.

Prisoner. I own I took it, and I told the policeman so—I wish to go to the Penitentiary—I have no friends.

HENRY NEWMAN (*police-sergeant F* 18.) I produce the certificate of the prisoner's former conviction from Mr. Clark's office—(*read*)—I was present at the trial—the prisoner is the same person that was then convicted.

GUILTY.* Aged 18.—Transported for Seven Years.

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529. ROBERT PERRENS, WILLIAM GODDARD, and JOSEPH BAGSHAW were indicted for stealing, on the 15th of January, 1 box, value 1*s.*; 1 bonnet, value 1*l.* 6*s.*; 1 scarf, value 4*s.*; 2 caps, value 5*s.*; 2 handkerchiefs, value 9*s.*; 1 cape, value 7*s.*; 1 collar, value 1*s.* 6*d.*; 1 bag, value 2*s.*; 5 yards of lace, value 4*s.*; 4 yards of ribbon, value 5*s.*; 4 shillings and 2 pence; the goods and monies of Mary Greenwood.

MARY ANN BROWN. I am just thirteen years old, and live with my aunt, in Bartholomew-square. Between eight and nine o'clock on Monday evening, the 15th of January, I was in Old-street, St. Luke's, and saw the three prisoners together—they followed a truck from Whitecross-street to the iron bedsteads—it was loaded with two boxes at the bottom and a large band-box at the top—I kept my eye on the prisoners—I had an opportunity of seeing them—a man was drawing the truck—the parcels were tied—the prisoners were dodging about in the road—at last Perrens cut the band-box from the truck—the other two were dodging round the iron bedsteads, to watch close to the truck—when he had cut the box off they all four ran away together—there were four men—Perrens and Goddard carried the box—they both had hold of it at the same time—I told the man who

was drawing the truck what had happened—they were not taken then, but a day or two afterwards—I am quite sure these are three of the four—I observed them under the gas-light talking together—I had an opportunity of seeing their faces—I am quite sure they are the same men.

Goddard. I was not in this man's company at all that night.

WILLIAM LOWE. I am a shop-keeper, and live at No. 1, Daniel-row, Stepney-green. I had the truck to fetch a person from the situation she was at—the band-box was fastened by a cord—I tied it myself—I was drawing the truck when the box was taken—the girl called to me, and told me of it—the cord had been cut, but the prisoners were gone—they were taken the following morning, about two o'clock—it was going to Mr. Hammer's, in Whitechapel-road—the property is quite lost—it belonged to Mary Greenwood—it has been almost her ruin.

JOHN DAVIS (*police-constable G* 157.) I received information of this, and apprehended Perrens and Bagshaw—Goddard was brought up on another charge—I did not find the two I took in company—I took Bagshaw first, in going up Golden-lane, and, as I was going to the station-house, Perrens came out of a public-house, and I took him—the little girl had described them at the station-house.

MARY GREENWOOD. I am a servant. I had employed Lowe to draw this truck—I was going from my last place to another, in Whitechapel-road—I was walking on the pavement just before the robbery was committed—I had something to say to Lowe, and left the pavement to go and speak to him, and that was while the robbery was committed—it contained all the articles stated—it is all lost, and was all the best of my clothes.

Perrens' Defence. I am totally innocent of the charge, and know nothing about it.

Goddard's Defence. While this was done, I was in a public-house, in Milton-street, from six o'clock in the evening till a quarter to ten o'clock at night, at Mr. M'Donald's.

PERRENS—GUILTY. Aged 21.—Transported for Seven Years.
GODDARD—GUILTY. Aged 20.—(See page 442.)
BAGSHAW—GUILTY. Aged 27.—Judgment respited.

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530. JAMES CLIFF was indicted for stealing, on the 27th of January, 1 watch, value 15*s.*; 1 watch-key, value 3*d.*; and 1 watch-ribbon, value 2*d.*; the goods of Charles John Cutbert.

CHARLES JOHN CUTBERT. I am a mariner, and am apprentice on board the *Africa*. On the 27th of January she was in the West India Dock—I lost my watch from out of my chest in the forecastle—it was not locked—I had seen it secure that day, and had not been on shore after I saw it—I lost it in the afternoon—the prisoner came on board—he had belonged to the ship before that, but did not then—I complained to my mate about it—my watch was found—this is it—(*looking at it.*)

GEORGE WRIGHT. I am an apprentice on board the same ship. The prosecutor told me, about half-past five o'clock, that he had missed his watch—the prisoner came on board about half past two o'clock that day—he had been at work on board for six weeks—I went to his lodgings and taxed him with taking the watch—he declared by his God he had not got it—I asked him to go to a place and be searched—he said he would

—he ran backwards, and was gone about two minutes—in the meantime I called a policeman, and he was taken—we went backwards, and found the watch in the shoot from the back wash-house, where he had been before.

WILLIAM LEE (*police-constable K* 268.) The prisoner denied all knowledge of this, and then it was found in the back place where the witness has stated.

GUILTY. Aged 47.—Confined Three Months.

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531. SUSAN JONES was indicted for stealing, on the 11th of January, 3 gowns, value 8*s*.; and 3 cloaks, value 1*l*.; the goods of Daniel Brown.

JACOB TURNER. I am in the service of Mr. Daniel Brown, of No. 4, Ryder's-court, Leicester-square. On the 11th of January I was in the shop—the prisoner came, but I did not see her come in—I saw her take up the bundle and walk out—it was lying in front of the door—I saw her go out with it—I went after her, and overtook her nearly at the bottom of the court—I told her to come back, and she came back—she was quite a stranger—I did not know what the bundle contained at the time—I never saw her in my life before, to my knowledge.

Prisoner. When you told me to come back, I came directly. *Witness*. No, I told you half a dozen times.

Prisoner. We were not two doors from your master's shop, and yo told me to come back, which I did immediately.

COURT. *Q*. Where was the parcel? *A*. In front of the shop, on some more parcels—it is a pawnbroker's.

JOSEPH LONG. I am in the employ of Mr. Brown, a pawnbroker. Turner brought this woman back with a bundle—I could not say what it contained—I gave it to the officer without opening it—it contained three cloaks and two gowns—it had been on the ground in front of the shop, not on the counter—I sent for the constable and took her—I could swear to the gown that they were wrapped in, and several other things.

THOMAS MARCHANT (*police-constable C* 149.) I took the prisoner—she went very readily, and said she never stole the things.

Prisoner. I went into the shop to get an article that I pledged a fortnight before—I lost the ticket—I went and asked another young man to allow me to have it without an affidavit, as I was going to a situation at Portland-town—he said he could not, and then I said I must leave it—I came out, and a person came out behind me, and directly this boy called out, "Come back," I came back, and this bundle was thrown down, but I did not touch it myself—I had not been in the front shop—I had been in the box.

JURY *to* JACOB TURNER. *Q*. Had the prisoner the bundle in her arms, or was it on the stones? *A*. In her arms—no other person went out of the shop at that time—there were two men passing in the court.

COURT. *Q*. Are you quite sure that she was the person that carried the bundle out of the shop? *A*. Yes.

Prisoner. I never was in the front shop till he took me back. *Witness*. I told her to come back half a dozen times before she did come back.

JOSEPH LONG *re-examined*. The prisoner had these things in her arms when she came back—I said, "What is this?"—she said, "They are my

the man running in front when I first saw them—they had run about 400 or 500 yards from the house—I took him back to the house, and there found the window-sash of the front parlour cut out, and set a little on one side of the window—several other sashes had the cords cut, but were not removed—I then took him to the station, and came back to the house, but found nothing more—I went to his lodgings, No. 19, Princess-street—there was scarcely any thing in them—I found some skeleton-keys there—I do not know how he got into the house—there was no violence used.

Prisoner. *Q.* Do not you think those skeleton-keys might have laid there at the time I lived there without my seeing them? *A.* They were on a ledge under the stairs, and I should have thought they would have been covered with rust.

WILLIAM TURNER. The houses, Nos. 1, 2, and 3, Prince's-street, belong to me—I let this house to a tenant last Michaelmas—he went away, and took the key with him—I then went to King, and told him to give a look out if he heard any one about the house—when I went to the house I found one sash removed, and the lines of the others cut.

GUILTY. Aged 28.—Confined Six Months.

OLD COURT.—*Thursday, February 1st,* 1838.

Second Jury, before Mr. Serjeant Arabin.

535. JANE SHEPHERD was indicted for stealing, on the 22nd of January, 1 shilling, the monies of Joseph Dennison, her master.

JOSEPH DENNISON. I keep the Lord High Admiral public-house, in the Vauxhall-road. The prisoner was about five weeks in my service—I kept my till in my bar, and missed money from time to time, and I marked two half-crowns, three shillings, and three sixpences—I put them into the till on the night of the 21st of January, about twelve o'clock at night—I locked the till, and took the key up stairs to my bed-room—next morning my daughter came to my bed-room for the key of the till—she took it off the mantel-piece in my bed-room, and I gave her some silver not marked, to give change, without using the money in the till—this was about half-past seven o'clock—about half-past nine o'clock I examined the till, and missed one shilling which was marked—I sent for a police officer, and charged the prisoner with having it—she denied having a shilling about her—she was searched in my presence, and the marked shilling found in her pocket—this is the shilling—(*looking at it*)—it has a cross under the head—I am quite sure it is one of the shillings I marked.

ELIZABETH DENNISON. I am the prosecutor's daughter, and am thirteen years old—I went up to my father in the morning, and received the key of the till—he gave me silver to give change—I opened the till, but did not take any money out—we have a pot-boy—I left the till unlocked with the key in it—when I opened it, there were two half-crowns, three shillings, and three sixpences—that was about half-past seven o'clock.

JAMES DOYLE. I am a policeman. I was sent for, and went to the house—the prosecutor charged the prisoner with stealing a shilling which he had marked—she said she had not got a shilling, and had not taken any thing—I searched her, and found one shilling in her pocket—it was a marked one—she then said it belonged to herself, and she had not taken

it from her master—I am positive she at first said that she had not got a shilling.

Prisoner's Defence. My mistress was not up—I was going to get a petticoat out of pawn—I had three shillings in my pocket, and wanted another shilling—the till was open, and I took the shilling, meaning to tell mistress of it when she came down, but before she came down my master called in a policeman, and took me—mistress owed me a little money—I meant to have told her of it—I never intended to steal it.

GUILTY. Aged 37.—Confined One Month.

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536. EDWARD TURNER was indicted for stealing, on the 28th of December, 2 candlesticks, value 2*s.* 6*d.*; 1 pair of snuffers, value 1*s.*; and 1 knife, value 6*d.*; the goods of William Henson: 1 printed book, value 5*s.*, the goods of Thomas Brown; and 1 printed book, value 2*s.*, the goods of Ann Norah Batten.

WILLIAM HENSON. I am a bootmaker, and live in Parliament-court, Old Artillery-ground. I have the care of the "Apostolic Church" there—on the 28th of December, about three o'clock in the afternoon, I went into the chapel, and found the prisoner concealed in one of the pews, crouched down—I was alarmed, not knowing whether there might not be more persons there, and I went out for assistance—I returned in about two minutes with a neighbour, and found the prisoner going out, trying to open the front door—I laid hold of his arm, and put him back into the seat where he was—I asked him what he had done with the candlesticks which I missed—he said they were in a parcel at the door—I went and found the articles stated in the indictment, in a bundle—I had seen them all safe at seven o'clock in the morning, in the vestry closet—I found them all tied in a pocket handkerchief, on the mat at the door—the property belongs to the deacons of the church, but I am responsible for it—one Bible belongs to Thomas Brown—(*looking at the property*)—here are the candlesticks and snuffers, which I know, and this Bible, I know, belongs to Thomas Brown.

THOMAS BROWN. This is my Bible.

Prisoner's Defence. I did not take the property.

GUILTY. Aged 19.—*Recommended to mercy.*—Confined Four Days.

Before Mr. Justice Patteson.

537. JOHN HALL, *alias Charles Hodges*, was indicted for feloniously uttering a counterfeit sixpence, on the 20th of January, to Samuel Mayhew, well knowing it to be counterfeit; having been previously convicted as a common utterer.

The Hon. MR. SCARLETT *and* MR. BODKIN *conducted the Prosecution.*

CALEB EDWARD POWELL. I am Assistant Solicitor to her Majesty's Solicitor to the Mint. I produce a copy of the conviction of John Hall, *alias* Hodges, for uttering counterfeit coin—I have examined it with the original record in Mr. Clark's office—it is a true copy.

JOHN WILSON (*police-constable H* 13.) I was present when the prisoner was tried in this Court, in October, 1836, for uttering counterfeit coin—I am sure he is the person—he was tried in the name of John Hall—(*certificate put in and read.*)

ELLEN NORMAN. I am in the service of Mr. M'Lean, a publican. On

the 10th of January the prisoner came to our house for a pennyworth of gin —I served him—he offered me a shilling—I examined it, and it was bad—I told him so, and gave it to Mr. M'Lean—the prisoner said nothing when I told him it was bad.

WILLIAM M'LEAN. I keep a public-house in Smithfield. I saw the prisoner served with the gin, and saw him throw down a shilling—Norman handed it to me—the moment I handled it I found it was bad, and I gave him in charge—I bent the shilling on the counter, and then went round, and said, "I suppose you are aware of it?"—I went to the door, and called the officers in, who were outside—I marked the shilling in the presence of the officer, and gave it into his hand—(*looking at one*)—I am certain that is the same shilling.

EDWARD PYEFINCH. I am an officer. I was on duty on the 10th of January—Mr. M'Lean gave the prisoner into my custody—he handed me a shilling, which I have produced—I have kept it ever since—I searched the prisoner, and found on him a good sixpence and 4*d.* in halfpence—he was taken before the Magistrate, and no other case being brought against him, he was discharged on the following day.

SAMUEL MAYHEW. I keep a public-house in Whitecross-street, St. Luke's. On Wednesday, the 20th of January, between nine and ten o'clock in the evening, the prisoner came to my house, and asked for a glass of gin—I served him—it came to 1*d.*—he laid down a sixpence, which I examined, and found to be bad—I asked him where he took it—he said, "Of a butcher, up the street"—he rather smiled, and I sent for a police-constable—he was going to run towards the door, and a policeman met him coming out—I marked the sixpence, and gave it to Burleigh, the officer.

Prisoner. *Q.* Did I not ask you to go to the butcher to prove that he did give it to me, and want to go and fetch the butcher? *A.* No, you did not say you would go and fetch the butcher, I am certain.

RICHARD BURLEIGH. I am a City policeman. I was called to Mr. Mayhew's house on the night in question, and took the prisoner into custody—I received from Mr. Mayhew a sixpence—I searched the prisoner, and found 4½*d.* in copper on him—I produce the sixpence.

MR. JOHN FIELD. I am Inspector of Coin to her Majesty's Mint. I have examined the sixpence—that and the shilling are both counterfeit in all respects.

Prisoner's Defence. My mother died in child-bed, and my father died when I was nine years old—I was left to my grandfather—my grandmother died when I was about twelve years old, and my grandfather turned me out of doors—I was transported from here for seven years; but, through good behaviour, after four years I came home, and set up in business here—I lost my money by misfortune, and came to poverty, and had nothing to do but to utter base coin—I was sent to the House of Correction for that, and when I came out I was ill in Bartholomew's Hospital—I then had nothing to do but to utter base coin again—I hope you will have mercy on me.

GUILTY. Aged 25.—Transported for Ten Years.

Before Mr. Justice Patteson.

538. WILLIAM GODDARD was indicted for burglariously breaking and entering the dwelling-house of Thomas Henry Kennard, at St. Luke,

about the hour of eleven, on the night of the 16th of January, with intent to steal, and stealing therein, 5 pillow-cases, value 8*s.*; 6 napkins, value 8*s.*; 4 towels, value 7*s.*; 3 shirts, value 15*s.*; 2 shifts, value 5*s.*; 2 sheets, value 15*s.*; 2 handkerchiefs, value 6*s.*; 2 pairs of drawers, value 4*s.*; 2 flannel jackets, value 7*s.*; 3 petticoats, value 7*s.*; 1 table-cloth, value 3*s.*; 1 cap, value 9*s.*; and 2 waistcoats, value 2*s.*; his goods.

Thomas Henry Kennard. I keep a beer-shop, in Long's-buildings, in the parish of St. Luke. I know the prisoner—he was at my house on the 16th of January—he came in, in company with three others, about half past ten o'clock at night, and went to the first-floor room, where persons go to smoke—there is a skittle-board in the room—I did not see him go into the room, but I saw him go up stairs, and afterwards saw him in the room—I went up, in less than ten minutes after, into the front room, and he was there—I came down again, and went up again within three minutes after—he was not there then—I missed him, and one of the party who came with him—I heard footsteps overhead in my bed-room, and went up, and when within just three steps of the bed-room door I saw the prisoner coming out of the bed-room—I stopped him on the staircase, and asked him what business he had there—he said he had been lighted up there by a gentleman who described it as a skittle-room—I told him that he was wrong, that he had not been lighted up there, and I wished him to go down with me—I then called for a light, a person who came out of the bed-room after him having knocked my light out of my hand—I cannot say who that other man was—my wife brought up a light—she passed me and the prisoner, and followed us down stairs—I went first, and the prisoner behind me—the other man escaped when he knocked the candle out of my hand, and he had a large bundle with him—I could not observe that the prisoner had any thing in his hand—I collared him when I first met him coming out of the bed-room—I had no struggle with him—he at first said he would strike me if I did not let him go, but afterwards he said he would go quietly—my wife was within hearing when I first collared him—I brought the prisoner down stairs, and gave him into the custody of a police-officer—my wife went up to the bed-room—I cannot tell how the bed-room door was when the prisoner first came to the house, as I had not been up stairs myself.

Cross-examined by Mr. Doane. *Q.* Were there several persons in your house at the time? *A.* Yes, I suppose about twenty—they were not all up stairs—four or five of them were down stairs, in my private parlour, adjoining the bar—there was a skittle-board in the room which the prisoner went into to drink his beer—the room I went up to is the bed-room—it is used for no other purpose.

Q. Is there any other place where they play at skittles in your house? *A.* Down in the cellar, underneath—I saw the prisoner come into the house and go up stairs—I afterwards found some of my property in the cellar, which I thought I had lost—the property was taken from the room up stairs—the prisoner was caught at the bed-room door—the man who rushed by and escaped knocked my light out.

Charlotte Kennard. I am the prosecutor's wife. The prisoner came to our house on the night in question, about half-past ten o'clock—I was in the bar parlour—I carried the prisoner up a pot of ale, and from thence I went up to my bed-room—that was at twenty minutes before eleven o'clock—I had not been in the bed-room before, since half-past nine o'clock—I left the door shut and latched then—it has no lock,

merely a latch, which we lift up—I am quite certain it was latched when I came down stairs—when the prisoner came he went up stairs—I did not see him come into the front door, but I saw him in the parlour when I carried him some ale—(I had not seen him enter the house)—he was then standing in the parlour with the skittle-ball—there were five or six others in the room—I then went up to the bed-room to fetch something—I found the door as I had left it—when I came out I shut the door as before, and came down stairs—my husband was down stairs at that time—he went up a few minutes after, and I heard him on the stairs calling for a light—I went up with one, and saw him holding the prisoner, who said, "D—— your eyes, leave me go," and then he said, "I will go quietly, Sir"—my husband came down first, the prisoner next, and me behind, down the second flight of stairs—I had stood on the landing, and they passed me, and I walked behind with my light—I saw nobody else on the stairs—I saw the prisoner throw a towel, a napkin, and a pillow-case from his jacket on the stairs—they belong to us, and had been in the drawer in my bed-room—I went down stairs, and screamed out for the police—a policeman came in immediately, and the prisoner was given into custody—I went up to my bed-room and found the door wide open, and a great many articles disturbed about the room, and taken from the drawers, which were broken open—they had been locked before—two of the locks were forced off—I missed some shirts, shifts, flannel petticoats, sheets, pillow-cases, and drawers, and a good many articles—I picked up the things the prisoner dropped, and I am quite sure they are my husband's.

Cross-examined. *Q.* When you went up, on hearing your husband call out, did not the prisoner say something about having made a mistake in the room? *A.* I did not hear that—I was very flurried and frightened—I did not hear the prisoner say his friend had made a mistake in the room—(*looking at her deposition*)—this is my handwriting—it was read over to me before I signed it—(*read*)—"*my husband seized the prisoner, who said, 'D—— your eyes don't collar me, my friend has made a mistake in the room.'*"

Q. Now having refreshed your memory, did he not say so? *A.* I have not that recollection at this moment—I was asked if my deposition was correct before I signed it, and it is correct—I was very much flurried—I did not see the other man at all—he must have escaped along the passage by the private door—I will swear I saw the prisoner take these articles from his person—I was behind him at the time, as he was going down the second flight of stairs—I made a remark to my husband about it at the time—I have not a doubt that he threw the things from him—some things that were missing from the bed-room I afterwards found in the cellar, where the people were playing at skittles.

ROBERT COLE. I am a policeman. I was sent for, and apprehended the prisoner on the night of the 16th, at the prosecutor's house—Mrs. Kennard delivered me the articles which I produce—I also produce the lock of the drawers.

MRS. KENNARD *re-examined.* These are what the prisoner dropped—I gave them to the officer—they have my maiden name on them.

(MR. DOANE *stated the prisoner's defence to be, that he was taken to the house by a friend—that many persons left the room he was in, and his friend amongst the number—being anxious to find his friend, he proceeded to search for him, and he had just got up stairs to the door of the bed-room when the*

landlord came up and seized him, and that the prosecutrix must be mistaken in supposing that the articles fell from his person.)

GUILTY. Aged 20.—Transported for Ten Years.

(See page 435.)

Before Mr. Justice Vaughan.

539. THOMAS WOOD was indicted for burglariously breaking and entering the dwelling-house of Harris Lazarus, at St. John, Wapping, about the hour of two in the night of the 2nd of October, with intent to steal, and stealing therein, 4 pairs of boots, value 1*l.* 10*s.*; 3 pairs of shoes, value 6*s.*; 5 handkerchiefs, value 7*s.*; 1 pair of snuffers and tray, value 3*s.*; 1 decanter-stand, value 4*s.*; and 1 egg-cup, value 6*d.*; his goods.

HARRIS LAZARUS. I keep an outfitting shop, at No. 112, Upper East Smithfield, in the parish of St. John of Wapping. On the 3rd of October, between seven and eight o'clock in the morning, I discovered my house broken open when I came down, and I found my parlour window open—my house having been attempted several times, I had had some iron bars fixed to the window—one screw was abstracted from the bar—the bar was not removed, but the window was open, and a window was broken in the yard, which goes into the wash-house—that was fastened with a bolt inside the wash-house—there were some bars there as well, and one of them was moved enough to admit the body of a man—I went into the wash-house immediately—I discovered the parlour window open between seven and eight o'clock—I had left that window perfectly safe between eleven and twelve o'clock the night before, I saw it fast—I missed various articles from the wash-house—there were three pairs of my own boots, two pairs of ladies' boots, three pairs of shoes, one plated egg-cup, a pair of plated snuffers and tray, a plated decanter-stand, and five silk handkerchiefs, which had been washed and left there to dry—the property all belonged to myself—I had seen the wash-house fastened the night before, but did not look for the property then—the snuffers-tray, egg-cup, and decanter-stand were taken from the kitchen; the other things from the wash-house—I have seen some of the articles since—they are a pair of boots and a handkerchief, which had been in the wash-house with the others—I found a pair of boots in the cesspool which did not belong to me, and I gave them to the policeman.

Cross-examined by MR. DOANE. *Q.* Did you see all safe the night before? *A.* Yes; that is my usual custom—I am quite sure I saw them so on this particular night, and on every night—I am generally the last person up, and I was so on that occasion—my wife and I went to bed at the same time—the servant generally goes to bed before us, and did so that night.

HENRY PARKER (*police-constable K* 10.) On the 7th or 8th of October last, I went to Mr. Lazarus's house, and examined the premises—I found a pair of boots down the privy—I succeeded in getting one up, but the other I could not—I afterwards went to the House of Correction, on the 6th of January, and saw the prisoner there—he had been in custody there for three months, and was about to be discharged that day—I was the cause of his going there—I brought him to King David-lane station-house, and requested him to try the boot on which I had found in the privy—he did so, and it exactly fits him—I received a pair of boots and a handker-

chief from Mr. Hoare, the turnkey at the House of Correction, at the same time—I had taken the prisoner into custody on the 6th of October, lurking about Brook-street, Ratcliffe, and I remember, on taking him into custody then, observing him stoop, as if in the act of putting something down—it was up a court in Brook-street—having no further assistance but myself, I could only secure him and take him to the station-house—I then returned and found two chisels exactly at the place where he had stooped—I have examined the place at Mr. Lazarus's, and there appears to be a pressure on the sill of the window, such as would be made by a tool of this description—the smallest of the two chisels—I do not consider it is at all a mechanical tool—it is not like one—the impression seemed to me to be made by such an instrument—at the time he was at the station-house I desired him to take off his boots, which he did—I remember he had a pair on, similar to those taken from him at the House of Correction, and they were turned down with red as these are—I believe these to be the same he had on when I took him into custody and took him to the station-house—I have shown those boots to Mr. Lazarus, and he has identified them as his property—they are lined inside with a sort of red leather.

Q. Did you ask the prisoner to give any account of these boots? *A.* I did at the time I first took him into custody—I asked how he came into possession of them, and he said he had bought them in Rosemary-lane, of a man who stood in the lane, and he has told me so again since—I had no idea of the burglary at the prosecutor's then—these are the same boots, to the best of my belief.

Cross-examined. *Q.* Is not Rosemary-lane a place where articles of wearing apparel are sold in large quantities? *A.* Yes—I have no doubt there are other boots like these in London—there is nothing particular about them, nor about the chisel—I tried the other boot on to the prisoner, and it fitted him.

Prisoner. It did not, it would hardly go on, it pinched me.

GEORGE HOARE. I am chief turnkey at Coldbath-field's prison. The prisoner was in my custody there for three months—he came on the 7th of October—he was committed from the Thames Police Office, and was brought in the prison van with other prisoners—he brought some clothes with him, part of which he has now on—these boots and this handkerchief are the same he brought with him—I am quite sure of them—I had them in my possession after he came in—the clothes are taken from all the prisoners that come in the next day, and are delivered up to them again the day they are discharged—they wear the prison dress while they are there.

Q. Can you undertake to say these are the boots and the handkerchief which the prisoner brought among other things? *A.* Yes, and I delivered them to him on his discharge, which was on the 5th of January—I held them up to him, and asked him if they were his, and he said, "Yes"—that was after the prosecutor had seen them—I asked him where he got the boots and handkerchief, and he said in Petticoat-lane.

Cross-examined. *Q.* Do you know that Rosemary-lane and Petticoat-lane are both in Whitechapel? *A.* I do, and close together.

MR. LAZARUS *re-examined.* I tried one of the boots on immediately I got to the House of Correction, and am quite satisfied they are mine—these are the same boots—(*looking at them*)—this handkerchief is also

Before Mr. Justice Patteson.

IN LANE was indicted for feloniously breaking and entering James Kelly, at St. Martin-in-the-fields, on the 21st of Ja- tealing therein, three pairs of boots, value 11*s.*; and three pairs lue 9*s.*; his goods: and 1 bag, value 3*d.*, the goods of Joseph

ARRETT. I am in the employ of James Kelly, a shoemaker— it No. 5, Little May's-buildings, in the parish of St. Martin-in- I sleep there. I went out last Sunday, the 21st of January, at e two o'clock—I fastened the door by a padlock, and the win- which looks into the yard—I returned at half-past ten o'clock, he door without the padlock—I tried to open it, but could not tened inside—I called to the next-door neighbour, and went his premises, got a ladder, and got in at the window which e yard—that was shut, but I opened it—I could see nobody when I got quite in I saw the prisoner lying across the fire- hearth—he pretended to be asleep—I tried the outer door, and rew-driver, a brad-awl, and a chisel, which belonged to me, e to prevent my getting in—I took them out, and let the po- -I found some shoes which had laid on the show-board in the n I went out, were gone—it was three pairs of boots and three es—they belong to Mr. Kelly—I found them deposited in a orner of the shop, a short distance from the door, in a place the shutters—the bag belongs to me—I asked the prisoner t him there—he told me he found the door open, and came in —I gave him in charge, but found nothing on him—I am quite es and boots had been left on the show-board, and not in the them to the policeman.

Q. Were there three pairs of boots? *A.* Yes—two pairs of d one pair of Wellingtons.

There were three pairs of ladies' shoes,

RBES. I am a policeman. I was called in on this occasion, and risoner in the shop, lying down on the hearth—Barrett de-

First Jury, before Mr. Recorder.

541. CHARLES LILLEY was indicted for embezzling on the 9th of October, the sum of 8*s.* 6*d.*; on the 16th of October, 14*s.* 8*d.*, and 3*s.* 7*d.*; which he had received on account of Edmund Collingwood, his master; to which he pleaded

GUILTY. Confined Six Months.

(There was another indictment against the prisoner.)

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542. WILLIAM JONES was indicted for stealing, on the 19th of January, 1 till, value 5*s.*; 12 pence, and 41 halfpence, the goods and monies of George Yates.

GEORGE YATES. I am a baker, and live in High-street, Bromley. In the evening of the 19th of January I saw the prisoner run out of my shop with something under his arm—I pursued him about 200 yards, and kept *singing* out, "Stop him"—I then met the policeman with him in charge—it was very dark at the time—I only heard his footsteps—I could not see him, but did not miss the sound—the officer produced a till containing copper money—I can swear to the till being mine.

Prisoner. It was not me he saw run out of the shop.

THOMAS BARTLETT (*police-constable K* 286.) On the 19th of January I was on duty in High-street, Bromley—I did not see anybody run out of the prosecutor's shop—I saw the prisoner running about thirty yards from the shop—I pursued him, and he was stopped in my presence—he had the till with the money in it—I took him back to the shop, and he said he did it, being in want of bread—somebody said, "If so, he would have taken bread, as there was plenty about the shop"—he then said he did it for want of a pair of shoes—there were twelve pennypieces and forty-one halfpence in the till.

Prisoner. He did not stop me—a man stopped me, and said I had taken the till—he said, "Here is the boy," and then the policeman took me back to the shop, and said, "Here is the boy that has been taking your till"—I said "I don't know any thing about it"—a woman then came in, and said, "Oh, you naughty boy, what made you do that? there is plenty of bread about, if you wanted it"—I said I did not want any thing.

GUILTY. Aged 15.—Confined Three Months.

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543. WILLIAM STRINGER was indicted for stealing, on the 30th of January, 1 watch, value 4*l.*; 1 watch chain, value 2*l.* 10*s.*; 1 seal, value 1*l.* 7s.; 1 key, value 4*s.*; and 1 waistcoat, value 12*s.*; the goods of John Howard Dean, in his dwelling-house.

JOHN HOWARD DEAN. I live at No. 126 Newgate-street, and am traveller to Orchard and Co., of Smithfield. On the morning of the 30th of January I went into my bed-room, and missed my waistcoat, and afterwards my watch and appendages—the watch is worth about 4*l.*, the chain, 2*l.* 10*s.*, and the waistcoat, 12*s.*—the watch was in a case at the head of the bed—they were all gone at the same time—the outer door of the house was kept open—my bed-room door was not locked—the house belongs to Mr. Skelden, but he does not live there—I have only an apartment—it is not a separate dwelling-house—the staircase is common to every room—I pay no rent or taxes—the furniture is my own—I take it by the week, month, or quarter.

Q. Who has charge of the house? *A.* The person who has the shop and lower part—I am a tenant of his—he rents the whole house—I have merely one apartment—the officer afterwards produced some of my things to me.

JAMES PREEDY. I am a potato dealer, and live at No. 66, Noble-street. I have known the prisoner many years—on the 30th of January I saw him at the tap of the Castle and Falcon—he had a watch-chain hanging from his fob—I asked him the time—he immediately looked at the dial in the tap-room, and said it was two o'clock—I told him the dial was wrong, and what time was it by his watch—he immediately pulled a watch from his fob—I obtained it from him, and noticed the maker's name, and took particular notice of it—I gave it back to the prisoner, and he walked out—I followed him into Aldersgate-street, and asked him to take some beer, which he said he would, and he came back into the tap-room again—I asked him to let me examine the watch again—I got it into my possession, and delivered it to the landlord, while I went and fetched a policeman—he had a waistcoat on at the time, which has been since claimed—I beg to state that I think the man is a little deranged at the *ebb* and *flow* of the moon—I think he is a little mad-brained—I have known him many years, and always knew him to bear a most excellent character, till lately he has been guilty of a few transactions—he is not right in his senses at all times—he is not quite as sound as other people—I lived fellow-servant with him many years.

Q. It seems you did not quite approve of what you saw, or you would not have fetched the officer? *A.* I considered that it was my duty to do so.

RICHARD SAVAGE. I am a policeman. I produce a waistcoat—I saw it on the prisoner's person—I also produce a watch, which I got from my brother officer, who is not here.

JAMES PREEDY *re-examined.* This is the same watch I saw the prisoner with about two o'clock in the afternoon.

MR. DEANE *re-examined.* That is my watch, seal, and waistcoat—I missed them about a quarter or twenty minutes after nine o'clock—when I saw the prisoner with the waistcoat on, it struck me he was a fool—he appeared a man of bad intellect, a poor, pitiful object, incapable of conducting himself.

GUILTY.* Aged 14.—*Recommended to mercy by the Prosecutor.*—Confined Six Months.

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544. JAMES GRAY was indicted for stealing, on the 30th of December, 1 table-cover, value 2*s.* 6*d.*, the goods of Edmund Deane.

EDMUND DEANE. I am a brewer, and live at Feltham, in Middlesex. On Friday, the 30th or 31st of December, I missed from my garden a table-cover worth 2*s.* 6*d.*—it was brought to me nine or ten days afterwards, by a person named Warre, who deals in second-hand clothes.

ELIZABETH WARRE. I live at West Bedfont. I have seen the prisoner at different times—I bought this table-cover of him—I did not know it was stolen—I gave him 2*s.* for it—it was on the 30th of December—our house is about three-quarters of a mile from Feltham—a man named West was with the prisoner, but did not interfere.

ROBERT JAMES THORPE. I am a constable of Feltham. I apprehended the prisoner—he told me if I would allow him to go down to Mr. Deane,

top of the wall, and the planks with him—it was rather dark, and I could not see him at that distance—I saw the planks, and I knew immediately, when I saw them in his arms, that they were two I had seen in the yard the night before—he fell down by the river side in trying to escape.

Q. Did you say any thing to him about a boat-hook? *A.* When he called *Bob*, the watchman, he asked me if the boat-hook was in the boat, and I said no, it was in the yard—he did not go into the yard to fetch it—he left me, intending to go home—I do not know whether he has a punt—there is a punt there of Mr. M'Intosh's—he threw the planks down in the direction of the water—part of them remained on the land—I had counted the planks in Mr. M'Intosh's yard the night before—we compared these with others belonging to the prosecutor, and they corresponded exactly.

COURT. *Q.* Although you did not see who jumped from the wall, you pursued the prisoner, and saw him making his way to the river, with the planks? *A.* Yes, and he ran along in the water, as I ran on the dry ground.

JAMES MYNOTT. I am a policeman. I was on duty in Old Brentford, about a quarter to six o'clock in the morning, and took the prisoner into custody, over the other side of the water—I charged him with the offence—he said he took one of the planks to push his punt off with, but he did not take two—I went into a boat to recover the planks, and found them in the possession of two fishermen—his own father had picked one up, and the other was in another boat—the prosecutor claimed them, and they corresponded exactly with the rest.

(MR. HORRY, *on the prisoner's behalf, stated that he had no intention of stealing the planks, but merely took them to assist him in getting into his punt.*)

JAMES MYNOTT *re-examined.* A boy twelve years old might have launched the punt off without any plank—it was not above nine feet long, and it was empty.

Prisoner. It is twenty feet long, and four feet wide.

SIMON JOSEPH COSGRAVE *re-examined.* I saw him jump from the wall.

GUILTY. Aged 20.—Confined Three Months.

NEW COURT.—*Thursday, February 1st,* 1838.

Fifth Jury, before Mr. Common Sergeant.

548. STEPHEN HARMER was indicted for stealing, on the 9th of January, 9 yards of woollen cloth, value 6*l.* 13*s.*, the goods of George Woollett and others; to which he pleaded

GUILTY. Aged 21.—Confined Six Months.

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549. JOHN M'CARTHY was indicted for stealing, on the 27th of January, 1 pair of boots, value 20*s.*, the goods of Henry Gaze.

HENRY GAZE. I live at No. 155, Cheapside, and am a boot and shoemaker. On the 27th of January I lost this pair of boots—I know them from their general appearance and the number on the toe—(*looking at them.*)

EDMUND WORTON. I was in Mr. Gaze's shop on the 27th—I work for him—I received some information, and ran out—I perceived the prisoner running across St. Martin's-le-grand—I ran and caught him—I did not see him do any thing—he had these boots in his hand—I took him and the boots—I know these boots, they are Mr. Gaze's—the prisoner did not say a word.

Prisoner. I asked what he wanted with me—I picked them up, going across the street. *Witness*. No, he did not—he was pointed out to me—the boots were on a nail, inside the door of the shop.

JOHN FEARBY. I am an officer. I took the prisoner, and have the boots.

Prisoner. I saw them in the street and picked them up, and was turning down the street, when this boy caught me—I asked him what he wanted me for—he took me and called a policeman—I told him I had picked them up. *Witness*. He did not speak a word to me.

GUILTY. Aged 20.—Confined Three Months.

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550. MARY DUNN was indicted for stealing, on the 6th of January, 6 sovereigns, the monies of John Lucas, from his person.

JOHN LUCAS. I live at No. 1, Cleveland-street, and am an attorney's clerk. On Saturday evening, the 6th of January, I went out on a visit, and came home on Sunday morning—having arrived at Oxford-street, I met the prisoner—she accosted me, and induced me to enter into conversation with her at the corner of Berners-street, and while we were talking, she seeing my trowsers pocket unbuttoned, thrust her hand in, and took out six sovereigns that were loose—there were nine, and she left three—I know they were there, because I had made up my accounts in the evening, at about six o'clock—I was not drunk—I had been drinking, but I am certain the money was in my pocket—she ran away, but I took her at a short distance—I do not know whether she was searched, or whether she delivered the money to the policeman.

Prisoner. I met him—he asked me where I was going—I said I did not know, I had no lodgings to go to—he got into conversation, and said, "Will you take a walk as far as my house?"—I said, "I have no home nor lodgings"—he said, "If you will walk with me up here," which I did, and we got half a dozen doors up Berners-street—he stood and talked to me—he said, "I have but 4*s*. or 5*s*., whatever I have I will give you"—we staid there a few minutes—he gave me 4*s*. or 5*s*.—I put the money into my pocket, and while we were there the policeman came by, and saw us there—he passed by, and the prosecutor said, "You need not mind the policeman, he will not know but that I live here"—I then consented to what the prosecutor wished, and staid there ten minutes—he said, "What money have you got in your pocket?"—I said, "What makes you want to know?"—he said, "You have robbed me?"—I said, "If I have robbed you, give me in charge"—he said "Stop till the policeman comes, and I will"—I stopped, I suppose ten minutes, and then the policeman came—he said, "You are not going to run away"—I said, "No, and I will go to the policeman"—I did so, and said, "This gentleman accuses me of robbing him"—he wanted to know what money I had—I said, "You are welcome to see, I don't know whether it is 4*s*. or 5*s*.," and I gave it to the

FRANCIS RUMSEY *re-examined.* *Q.* Was she very fat? *A.* About half-fed, and going on well—she was about eighteen or twenty stone.

WILLIAM LOOMS. I am carter to Mr. Rhodes. I remember, on Sunday morning, the 7th of January, at one o'clock, seeing a sow straying, opposite the Globe, close by Hackney-road—I know where Mr. Rumsey lives—this was about half a mile from there—I know Mr. Rumsey's sow—it was her I saw straying, and I have since seen it at Mr. Rumsey's—I am sure it was the same—I did not go to Mr. Rumsey's—I saw his sow—I did not go to the station-house.

JAMES INGRAM. I am a publican, keeping the Three Compasses, at Anchor-street, Brick-lane. I remember Twelfth-night quite well—Lewis was at my house that night—he came about six o'clock in the evening, with a few friends, and left a little before twelve o'clock.

WILLIAM ADEY. I am a shoemaker. I remember the 6th of January, Twelfth-night—I was at Mr. Gower's, who keeps the Sun public-house, in Slater-street—I know the two prisoners—I saw Organ there when I went at ten o'clock, and he was there till I went home, at twenty minutes after three—at a quarter past twelve o'clock, Lewis came—he joined in company, and was not out of my sight five minutes.

JOSEPH GOWER. I keep the Sun, the house the last witness refers to. I have known Organ two or three years, and Lewis twelve or eighteen months—I have known Organ work for his living at Smithfield market, and Romford market, and he has borne an honest character—on the 6th of January Organ came to his club, and paid me his club money, between eight and nine o'clock—he staid there till a little after three—Lewis and his wife came in about twelve o'clock, and remained there till about three.

THOMAS GARDINER. I am a dealer in vegetables, in Spitalfields-market. I know the prosecutor—I went to Cambridge-heath, and called in at Mr. Rumsey's—he said, in the presence of his wife and daughter, that his sow was in the habit of straying.

GEORGE IMBER. I am a turner. I know the prisoners—I have known Lewis about a year and a half, and the other about two years, always honest, hard-working, industrious men—they are both married, and have families—I have been to the prosecutor's house, and in the presence of the last witness he said that the sow was in the habit of straying, and, moreover, he told me so yesterday, outside the door.

JOHN DYBEL. I am a master drover, and live down the Dog-row. Organ has worked for me eight years, and he was always honest—I know where the green-yard, Whitechapel, is—drovers know that.

NOT GUILTY.

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552. ANN JONES was indicted for stealing, on the 26th of December, 1 brooch, value 8*s.*; and 1 breast-pin, value 2*s.*; the goods of William Stevens.

MR. DOANE *conducted the Prosecution.*

JANE CAROLINE STEVENS. I am the wife of William Stevens, he keeps the Rose Inn, Smithfield. The prisoner came into my service last May, and left in December, about eight weeks ago—I missed a brooch which was kept in my room, in one of the drawers—it was open at times,

and she would have access to it—I also missed a pin—I have seen them since.

Cross-examined by Mr. Phillips. *Q.* I believe the worthy alderman before whom this was taken first, wished to have the prisoner punished for illegally pawning? *A.* I do not know what he wished—he asked Mr. Stevens whether he wished to press the charge—he did not wish to press it, only to punish her for illegally pawning—I have had a quarrel with the prisoner since she left my house, before this charge, it was before I found she had the brooch, but not before I missed the things—it was because I would not give her an honest character, and she was very abusive, calling me names—the name of Crawley was mentioned—it was all false what she said—I do not know whether she is a Welsh person.

Charles Maine. I am shopman to Mr. Carr, of No. 15, Peter's-lane, Cow-cross; he is a pawnbroker. I produce this brooch, which was pawned on the 26th of December, in the name of John Fleming—Mr. Stevens got it by paying the interest—we never allow people to see things until they pay the interest.

Cross-examined. *Q.* Did you know the person before? *A.* Yes, I did—he pledged it in his own name—I asked him whose it was—he said it belonged to a young woman, he did not know her name—he represented that he was very well aware that it was her property—the address I have is No. 18, Peter's-lane—he had pledged with us frequently before, and that was the address he always gave me, that I am sure of—Fleming's Christian name is John, I believe—I cannot swear it, as this ticket is not my handwriting—I took the pledge in, but a youth wrote this—I cannot swear that I heard the man give me the name—he has given me the name of John—I do not know his profession—I did not ask him what he was in the house—he said he was a lodger—he was a person I was inclined to trust—I did not know it was stolen, at first.

James Fleming. I lived at No. 14, Peter's-lane, and live now at No. 2, New-court, Peter's-lane. I pawned this brooch and a necklace—the prisoner came to my house, and said she had been playing at cards the night before, and lost 9*s.*, that she had not a farthing, and had not the money to pay for the cab to carry her box to her new place, and she told me to get 10*s.*—the pawnbroker tried them with the stuff he had in the bottle, and would not give me more than 7*s.*, and that I took.

Cross-examined. *Q.* I am told you are a married man? *A.* Yes; Mrs. Fleming is alive—she goes to the prosecutrix's house at times—she goes to work, not up stairs to the bed-room—she is not here—it was the prisoner gave me this brooch—my sister was present at the time—her name is Sarah Wright—she is alive and well, but she is not here—I am in the smithering line—I keep a small shop—I have been living at No. 2, New-court, Peter's-lane, for ten months—no, I do not think I have—I cannot tell to a day or a week.

Q. If you lived on the 9th of this month, as you must have done, at No. 2, New-court, Peter's-lane, how came you to give your address "No. 18, Peter's-lane?" *A.* I used to live at No. 14, Peter's-lane, and I gave that address—I always gave the name of James.

Mr. Phillips *to* Charles Maine. *Q.* How came you to put "John" on the ticket? *A.* I copied it from the original; he gave the name of "John."

George Crawley (*City police-constable No.* 61.) I proceeded to the

house of Mrs. Wyard, at Clapton—the prisoner lived servant there—I searched a box—she said it was hers—I found several little things, and among the rest this black pin.

Cross-examined. *Q.* Do you call this a pin? *A.* I do not know what it is called; that is the name I give it—she was at home at the time—she was at this house—her mistress was present—she is not here, to my knowledge—I had no quarrel with the prisoner—I never heard of her saying any thing of me and Mrs. Stevens—the prosecutor's house is on my beat—I have been in there after duty—it is a very respectable public-house—I have been there of an evening, but not very often—I have been there two or three hours at a time, in the parlour, in company with several respectable people—the landlady has only been there when called for to come and go.

MR. PHILLIPS *to* MRS. STEVENS. *Q.* You told me that the name of Crawley was mentioned respecting something this poor girl said? *A.* I did not—she said I went on improperly with several people, but never mentioned this policeman—I cannot say how often the policeman has been there—I may have seen him every day, or two or three times a week—I may not have seen him at all—I really cannot tell how often I saw him in the course of last week.

MR. DOANE. *Q.* Any aspersions that she may have thrown out, is there any foundation for? *A.* Not the least.

WILLIAM STEVENS. This black pin and brooch are mine.

(The prisoner received a good character.)

GUILTY of stealing the pin. Aged 29.—Confined Six Days.

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553. JOHN HODKINSON was indicted for embezzlement.

MR. PAYNE *conducted the Prosecution.*

JOHN HENRY RUSSELL. I am a tailor, and reside at No. 3, Bruton-street. The prisoner was in my employ—he came on the 2nd of January, 1837—he was authorised to receive money on my account, and was to pay it over to me on his return—on the 18th of November I sent him to Mr. Rose, of Aylesbury, with clothes—I told him he might as well take the bill—Mr. Rose was generally kind enough to pay his bill when it was sent—it was at Gray's-Inn Coffee-house—he took the bill with the clothes—if he has received the amount he has never paid me—the bill was 9*l.* 4*s.*, and the discount was 9*s.*, which would make it 8*l.* 15*s.*—when he came back he said Mr. Rose was busily engaged in preparing to leave town—he had been some time from home, and did not know how his account stood at his banker's—I inferred he had not paid the money—I did not receive the money—I sent another bill on the 2nd of January, and received a letter from Mr. Rose, saying he had paid it—I had a customer of the name of Goodhall—if the prisoner has received any money from him, he has not paid it to me—I had a customer of the name of Smith, about the 4th of October—if he has received 10*s.* from him, he has not paid me that.

Cross-examined by MR. PHILLIPS. How long had this man been in your employment? *A.* From the 2nd of January, 1837, at a weekly salary; and he was to introduce customers, for which I was to allow him 7½ per cent. commission—he had been formerly in the trade, and part of the time he was respectable—he was not respectable all the time—that was not the reason I took him—I had known him many years, and thought to

serve him and myself—it was for my own advantage I took him, as well as his—I do not think he could have got employment any where else—I have been a poulterer in Norris-street, Haymarket, and in the Haymarket—I served my apprenticeship to it, and was in business eight years—I turned tailor because the situation offered itself of taking it in the house that Hodkinson was then serving—I accepted it with a relation of my wife's—I was unfortunate in business—I have lived there twenty years—I failed, and my attorney got my certificate—I gave my attorney the money to get it—I never did get it—it might have been got from the Court—I have been in partnership, and since then alone for two years and one month—I was compelled to dissolve the partnership because my partner was going too fast—I compounded with my creditors—I owe the prisoner wages, and he owes me money—there is an account between us—I have never settled it—I do not remember before he left me having a quarrel with him about Mr. Rose's account—he left me on the Monday—no dispute took place on the Wednesday about any account—he did not tell me he had received Mr. Rose's money, and if I had not entered it, it was not his fault, but mine—he told me he had received it on my taxing him with it on Monday, and said, "Instead of my owing any thing to you, you owe me 20*l.* 10*s.* 6*d.* for wages"—but I deny that I owed it him—I have not called him in to check the account with him—I owe him about 6*l.*—that has been made out in his absence—he left me on Monday, the 8th of January—I said I thought he would find himself mistaken—I do not think I told him to make out his account—he said he would be ready to make out his account—I will not swear that I did not tell him—he said, "I will not stay with you any more, I will come in the morning and have a settlement"—I asked him if Mr. Rose's account was paid, and he said he had paid it—I said, "In the morning I will send for you"—he then went away—I said I did not intend he should stop—I told him it was very likely he would find I did not owe him the money, because I had got this bill against him—I told him I would send for him—I was intending him to go, but I did not wish him to know that I had received Mr. Rose's letter—I will not swear that I did not say any thing else—I said, "I desire you not to go to solicit my customers"—I had forgotten that—(I was afraid the first day that he would go to the customers he had brought, but not on the next—I had him in custody the same day—I did not swear that I was afraid that day, but not the next—he could not go out when he was in jail)—the prisoner made answer, "That will rest with me, Sir"—I allowed him to go—he had an opportunity of fleeing, if he was conscious of guilt—I taxed him with Mr. Rose's money before that—he did not say, if I had not entered it, it was my own fault—I think I had no altercation with him on the Wednesday before about money matters—I think I can swear it—I will say, to the best of my belief, we had not—I will swear that we had no quarrel about money matters—I did not make a settlement with him before he left, because I wished to know the extent of my loss.

Mr. Payne. *Q.* On the Monday when you had the conversation with him, was there any account of monies received from your customers? *A.* No, on the 18th of November he was indebted to me for monies received from my customers—I did not know it then—it was his duty to pay over monies received from my customers, and the other account was quite a different matter.

GEORGE HEWITT. I am servant to Mr. Henry Smith. I paid the prisoner 16*s.*, some time in October, for Mr. Smith, for a pair of leather drawers.

HENRY EDMUND GOODHALL. I owed Mr. Russell money in October—I paid the prisoner 2*l.* 9*s.* 6*d.*, the amount of the bill was 2*l.* 12*s.*

JOSEPH ROSE. I am a solicitor at Aylesbury. I was at Gray's-Inn Coffee-house on the 18th of November—I received some clothes, with a bill, from Mr. Russell, amounting to 9*l.* 4*s.*—I paid by a cheque 8*l.* 15*s.*, to the prisoner—I did not tell him any thing about my having an objection to pay, because, I did not know how my account stood at the bankers—I received another bill from Mr. Russell—this is the cheque I gave him—(*producing it.*)

COURT. *Q.* In the settlement of your account with the bankers, has it been returned to you as paid? *A.* It has.

COURT *to* JOHN HENRY RUSSELL. *Q.* Have you allowed him any thing for the commission? *A.* I have not—there is a commission account running, but the orders that he brought to me are all fictitious—there is a small commission due to him, about 3*l.* 7*s.*—he has certainly introduced names, and brought orders, but in all the accounts not one owes me a penny.

NOT GUILTY.

(*See page* 480.)

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554. MARY CARROLL was indicted for stealing, on the 9th of December, 1 quilt, value 11*s.*, the goods of Mary Johnston, her mistress.

MARY JOHNSTON. I live at No. 10, Crescent-place, Burton-crescent. The prisoner was in my service about ten weeks—she left me on the 12th of December, the day I missed the quilt—this is my quilt—(*looking at it*)—she absconded on my inquiry for the quilt, and said she would bring it me.

Cross-examined by MR. CLARKSON. *Q.* Are you a married lady? *A.* No—my Christian name is Mary—I think the prisoner is about sixteen—I never heard of the name of Margaret Simpson—I did not tell the prisoner if she would give up the ticket I would forgive her—I wrote a note to Mrs. Austin, saying if they would bring the things, I did not wish to prosecute.

ARTHUR JOHN NORTH. I live at No. 5, Skinner-street, in the service of a pawnbroker. I have the quilt which was pledged by the prisoner on the 9th of December, for 5*s.*, in the name of Mary Johnson.

Cross-examined. *Q.* Was she alone or in company? *A.* I do not recollect—on this ticket is written "9th of December, 1 quilt, 5*s.*, Mary Carroll, 14, Burton-street"—I asked her whose it was—she said her mistress's, as she had done before when she pledged things—it was pledged on Saturday evening, the 9th of December—I advanced 5*s.*—I never inquired who her mistress was—there was a person who pledged things, who came with the prisoner at different times, of the name of Linney—she lived in Compton-street—I think she is a milk-woman—she used to come with spoons and different things—I never saw the prisoner come drunk—she has come in a great hurry, and brought three spoons, a quilt, and shift, and Mrs. Linney with her, and she said they had belonged to a lady she had known some time—they might have

come as often as ten or twenty times—I never took the trouble to go to the place where she said her mistress lived.

(The prisoner received a good character.)

GUILTY. Aged 17.—*Recommended to mercy by the Jury.*—Confined One Month.

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555. GEORGE PENNY was indicted for stealing, on the 15th of January, 2 cart steps, value 12*s.*; and 1 chaise spring, value 7*s.*; the goods of Isaiah Bartlett.

ISAIAH BARTLETT. I live in William-court, William-row, Westminster. The prisoner was in my employ—I missed a pair of cart-steps and a chaise-spring, on the 15th of January—I went to Duck-lane—the prisoner lodged there—I saw him in the room, he had just got out of bed, and was dressing himself—I found these things in the room there—he said nothing to me.

Prisoner. I know nothing about the property—I do not know how it got to the place.

GUILTY. Aged 28.—Confined Three Months.

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556. JAMES WEBB was indicted for stealing, on the 26th of December, 3 knives, value 1*s.* 3*d.*; 3 forks, value 9*d.*: also, on the 4th of January, 1 gown, value 5*s.*; and 3 flannel wrappers, value 6*s.*; the goods of George Larthall Bellamy, his master; to both of which he pleaded

GUILTY. Aged 15.—Transported for Seven Years.

Sixth Jury, before Mr. Sergeant Arabin.

557. JOSEPH EVERY was indicted for stealing, on the 10th of January, 1 coat, value 14*s.*, the goods of William John Huetson.

WILLIAM HOWES. William John Huetson is a pawnbroker; I am a pawnbroker also, and carry on business in Kingsland-road. I received in pledge a great coat from the prisoner, on the 10th of January, in the name of "John Cording," which is the name he always used.

Cross-examined by MR. BALLANTINE. *Q.* Is it not a jacket? *A.* It is a coat—I lent 14*s.* on it—it is a thing he would be likely to have—I have known him before.

JOHN GODFREY. I am a pawnbroker. This is Mr. William John Huetson's property—he is a pawnbroker living, in Kingsland-road—we missed this about the 12th of January.

Cross-examined. *Q.* When had you seen it before, was it at the Police Office? *A.* I cannot say; we missed it on the 12th—it had been there some months—I had seen it within three months—I am the only shopman—we had a boy, who is now gone—he was turned away—he was not dishonest, but he did not suit—he went on the 3rd of January—I do not know whether this coat was gone then—that boy is not here—he had not the care of these things—there was a salesman over him—he had the means of getting at these things.

(The prisoner received a good character.)

GUILTY. Aged 19.—*Recommended to mercy by the Jury.*—Confined Three Months.

558. JOSEPH BAXTER was indicted for stealing, on the 16th of January, 18 glass bottles, value 2*s.* 6*d.*, the goods of David Salomons; to which he pleaded

GUILTY. Aged 24.—*Recommended to mercy by the Prosecutor.*—Confined Six Months.

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559. ELLEN BRYAN was indicted for stealing, on the 18th of January, 1 shawl, value 8*s.* 8*d.*, the goods of John Gower.

DAVID GRIFFITHS. I am in the employ of Mr. John Gower; he lives in King-street, Covent-garden, and is a linen-draper. At eleven o'clock in the morning of the 18th of January, I hung up the shawl in the lobby—after that I heard the line snap—I ran out, and about eight or nine yards off I saw the prisoner secured by some gentleman, and this shawl dropped from her—I took it up, brought her into the shop, got the officer, and gave her in charge—this is my master's shawl.

Prisoner. You said you saw me pull it down. *Witness.* No, I did not.

Prisoner. There were two girls pulled it down, and threw it down at my feet—I told my mother who the two girls were, and they are gone into the country—my mother is now ill in bed, or I should have had characters—there was no gentleman there at all; if there was, why don't he come—this is the first time I have ever been in such a situation, if you will look over it this time. *Witness.* I did not see any other girls there—I had hold of her when she dropped it.

GUILTY. Aged 14.—Confined Three Months.

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560. JAMES CLIPSOME, GEORGE LOUKE, and JOHN COOPER, were indicted for stealing, on the 21st of January, 1 pig, price 1*l.*, the property of Thomas John Bolton, the master of Clipsome and Louke.

MR. PAYNE *conducted the Prosecution.*

WILLIAM COUZENS. I live at Kent's-place, Paddington, and am foreman to Mr. Thomas John Bolton, an omnibus proprietor. Clipsome was a washer of carriages—Louke and he were in Mr. Bolton's employ—three Chinese pigs were in the body of an old omnibus in Mr. Bolton's yard—on the 22nd of January, Monday morning, about seven o'clock, I missed one of the pigs—there were two left—I searched for the lost one, but did not find it—in consequence of suspicion I went to Mr. Feltham the inspector, and we went to Clipsome's house in Kent-place, on Tuesday, a little after six o'clock in the evening—Clipsome was at work in the yard—Mr. Feltham went up stairs—I remained down below for ten minutes or a quarter of an hour—I afterwards went up, and saw some pork in Clipsome's room, and the entrails of a pig in a dish in a bed-room, on a sideboard—the other parts were in the front room—there was a fore leg, and a loin—I cannot say whether there was any more—Mr. Feltham asked him how he came possessed of it, and he said, *big Jem* brought it to him in a sack—that man's name is Goatley—I know Goatley—he is a horse-keeper in Mr. Bolton's employ.

Cross-examined by MR. DOANE. *Q.* Is not Mr. Bolton's name John Thomas? *A.* His name is John Thomas Bolton—I believe it is Thomas

John Bolton—I have never heard him call himself so—I have seen on the omnibuses "John Thomas Bolton."

COURT. *Q.* Do you know whether it is Thomas John, or John Thomas? *A.* I believe it is Thomas John.

Cross-examined by MR. BALLANTINE. *Q.* Do you know any thing about it? *A.* It is Thomas John Bolton—I know that by his name being written—I will not swear it is written that way on the omnibuses—I have seen his omnibuses scores of times—the name is written Thomas John Bolton I believe—the pigs were alive when I saw them last—the omnibus had the wheels off—the pigs were allowed to walk about the premises, and get their living, and *big Jem* was about the premises—they might have walked to him—I have seen them in his stables.

GEORGE FELTHAM. I am a police-inspector. I went with William Couzens to Clipsome's house—I went up into the room by myself—Clipsome's wife and two children were there—I saw some pork in the cupboard—here is a fore and hind leg, a piece of a flap, and a fore-loin—I found some pork that did not appear to belong to the same pig—that is not here—I desired the woman to call her husband, which she did—I said to him, "I have every reason to believe this is part of Mr. Bolton's pig"—I asked him how he became possessed of it—he said it was some he had bought of his master, and some that *big Jem* had brought up—I said it had never been killed by a butcher, I had every reason to believe it was Mr. Bolton's, and I should take him into custody—I do not remember that Clipsome's wife said any thing in his presence, except that part of it was the lodger's—I then handed the prisoner to the police-constable, and directed him to take him to the station-house—his wife said part of it was purchased of Mr. Bolton, which I have no doubt of—I then went into the back room, and found the chitlings, the internal part of the pig, which had been killed, were in water, in a dish—I then went to Louke's house, and the foreman and I went up stairs—his wife was there—I asked if she had any pork in the house—I found there two pieces—one is part of a loin, and the other the fore-leg—Couzens brought Louke to the room—I said to him, "I have no doubt the pork I see here is part of Mr. Bolton's pig, and I shall take you into custody"—he said he knew nothing about it—he made some hesitation about going, but I said he must, and he did go—I did not go to Cooper's—the hind-leg of this pig some time before had been broken, and this leg that I found at Clipsome's is broken, and one of the toes which the constable found at Cooper's, was trod off by a horse—the pork found at Louke's exactly corresponded with the other parts found at the other two prisoners'.

Cross-examined by MR. BALLANTINE. *Q.* You had no difficulty in taking Clipsome into custody? *A.* No—his wife saw me at first, and she went and told him—I requested her to go and tell him.

WILLIAM GLASSCOCK (*police-constable T* 61.) I took Clipsome to the station-house—in going along he said he knew nothing about the pig, that it was brought up in a sack to his room on Sunday night, but by whom he did not know—he said nothing about *big Jem* to me—I went to Stingo-lane after Cooper—he does not live there, but he was working for Mr. Purdy, an omnibus proprietor—the stable is there—he went by the name of *Jem Crow*—I accosted him by that name—the door was shut, and we called "*Jem Crow*, come, open the door," and he did—I went in, and said we wanted him—he said, "What for?"—we said, "For killing a pig"—he

said he thought we were in a joke—we said it was no joke—Mr. Purdy said, "What pig is it?"—Cooper said, "The pig I killed on Sunday night"—he went with me, and in going he said he had gone on the Sunday to fetch a fork which he had left at Mr. Bolton's—he then said that in the stable there were three men who asked him to kill a pig—he said there were two *Jems* and a George—in the station-house he said he had killed a pig for three of Mr. Bolton's men, and he was to have a leg for killing it—he said he had got it, and told me where it was—I went to where he told me, No. 56, Earl-street, and got the leg, the four feet, and tail—the wife gave them to me—they seemed to match each other, by the size of them—here is one of the toes off one of the feet.

Cross-examined by MR. BALLANTINE. *Q.* Do you know the prosecutor? *A.* Yes, by sight; I do not know his name.

WILLIAM COUZENS *re-examined.* It was the near hind leg of the pig that was lost that was broken, and it had lost a toe when he was about five weeks old—he got it trod off by a horse, and then broke his leg.

COURT. *Q.* Was it the same sized pig as that appears to be? *A.* Yes—it was about four and a half or five stones.

(MR. DOANE, *on behalf of John Cooper, stated that he was perfectly innocent of stealing the pig, but that he had been a butcher, and when he went to the prosecutor's stables he had been asked to kill the pig.*)

(The prisoner Cooper received a good character.)

JAMES CLIPSOME—GUILTY. Aged 29. } Confined Six Months.
GEORGE LOUKE—GUILTY. Aged 32. }
JOHN COOPER—GUILTY. Aged 27.—*Recommended to mercy by the Jury.*—Confined Three Months.

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561. JAMES WOODHOUSE was indicted for stealing, on the 4th of January, 1 handkerchief, value 4*s.*, the goods of William Curtis; to which he pleaded

GUILTY.

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562. JAMES WOODHOUSE was *again* indicted for stealing, on the 19th of December, 1 bolster, value 5*s.*; 1 counterpane, value 14*s.*; 1 sheet, value 4*s.*; and 2 blankets, value 5*s.*; the goods of James Stevens; to which he pleaded

GUILTY. Aged .—Transported for Seven Years.

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563. JAMES WOODHOUSE was *again* indicted for stealing, on the 6th of January, 1 sheet, value 4*s.*; and 1 bag, value 7*s.* 6*d.*; the goods of Joseph Thompson; to which he pleaded

GUILTY. Aged .—Transported for Seven Years more.

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564. THOMAS TAYLOR was indicted for embezzling, on the 14th of August, 1*s.* 5½*d.*; on the 21st of August, 1*s.* 5½*d.*; and on the 28th of August 1*s.* 5½*d.*; which he had received by virtue of his employment as servant to, and on account of William Wright; to which he pleaded

GUILTY. Aged 17.—Confined Three Months.

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565. WILLIAM NAUNTON was indicted for stealing, on the 3rd of

January, 2 sovereigns and 8 half-crowns, the monies of Peter Robertson.

PETER ROBERTSON. I keep a beer-shop in Crosier-square, Chelsea. I employed the prisoner to dig and plant some potatoes for me—on the 3rd of January I gave my wife two sovereigns—the prisoner was present, close to me—my wife went down stairs—the prisoner went directly outside, where he might have seen through the window to where my wife was—I saw him stand where he could look in—this was on Wednesday—he was to come and finish his job the next morning, but I never saw him again till he was apprehended—I knew that he was in destitute circumstances, as he had half a crown on the Monday, and on Tuesday he had a shilling.

Prisoner. I was not near you when you gave your wife the money.

Witness. Yes, you was.

COURT. *Q*. Could anybody get in at the window? *A*. Yes—the door was locked, but a person could get in at the window from the garden; and there were marks of feet on the wall.

SARAH MATILDA ROBERTSON. I am the wife of the prosecutor. My husband gave me two sovereigns in the presence of the prisoner—I put it into a small box, and placed it in a large one in my bed-room—I missed it the following afternoon—I did not see the prisoner look in at the window—he was working in the garden—he never came to finish the job—I had advanced him money the day he came.

Prisoner. *Q*. Did I receive any money from you? *A*. Yes, 1*s*.

WILLIAM TOWERS. I met the prisoner about ten minutes after two o'clock on Wednesday or Thursday—he did not speak to me at all, but he pulled out his money, and said he had finished the job, and got the *ochre*—there might be three or four half-crowns in his hand—I am sure there were half-crowns—I do not know how many.

HENRY KIMBER (*police-sergeant V* 20.) I apprehended the prisoner on Monday, the 15th, between seven and eight o'clock in the morning—I found no money on him.

Prisoner. I was not there on the day that the robbery was committed, nor after Tuesday at twelve o'clock—I was in liquor when I went from his house, and went home—I had been drinking at his house both Monday and Tuesday till twelve o'clock—the reason I did not finish the job was, the weather set in so bad. NOT GUILTY.

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566. JANE SMITH was indicted for stealing, on the 17th of January, 3lbs. weight of beef, value 10*d*., the goods of Charles Baker.

JAMES BANTON. I live in the service of Charles Baker, a butcher, at No. 131, Tottenham-court-road. About half-past two o'clock on the 17th of January, the prisoner came to ask for two or three pennyworth of bones—I said, "No"—she went out—a boy called out, "Did you see that woman take a piece of beef?"—I said, "No"—my master sent me after her—I ran, and overtook her—she was running—I found the beef under her shawl—she begged my pardon, and said it was the first thing she had ever committed—I said she must go back—there was about three pounds—I did not know her before—I knew it was master's beef.

Prisoner. I was in very great distress when I did it—it was my first offence.

GUILTY. Aged 35.—*Recommended to mercy by the Jury*.—Confined One Month.

567. HANNAH O'NEIL was indicted for stealing, on the 29th of January, 3 pewter pots, value 2*s.*; 1 funnel, value 1*s.*; and 1 save-all, value 1*s.*; the goods of Ann Blandy.

MARK RAYNER. I conduct the King of Prussia public-house, Blue Anchor-yard, for a widow—her name is Ann Blandy. On the 29th of January the prisoner came—I served her with half a pint of beer, between one and two o'clock—she staid there a quarter of an hour or twenty minutes—when she went out I went into the tap-room, and missed the pot—I sent the boy to pursue her—I then missed the funnel and the save-all, and went after her—we missed her—I left the boy to watch, and he found her in one of the houses—I went to her again, and held her, and sent for a policeman—there was found on her the pint pot, also a quart pot, which had been in the yard, where she asked me to let her go, and this funnel and save-all.

WILLIAM BARRETT. I followed the prisoner a short distance, and saw her put down the pots out of her apron—they belong to Mrs. Blandy.

Prisoner. I never had them in my possession at all—they only stood in the passage.

GUILTY.* Aged 48.—Transported for Seven Years.

OLD COURT.—*Friday, February 2nd,* 1838.

Third Jury, before Mr. Sergeant Arabin.

568. THOMAS MATTHEWS was indicted for a misdemeanor.

WILLIAM THOMAS LAMBERT. I am a medicine vender, and live at No. 20, Jermyn-street. On the 15th of January the prisoner came to my house, about half-past seven o'clock in the evening—he presented a parcel, and with it presented a printed ticket, purporting to come from the Belle Sauvage, Ludgate-hill—this is the ticket—(the direction of the parcel being read was, ("*To be delivered immediately to Mr. William Lambert, chemist, &c.,* 20, *Jermyn-street, St. James's, London, by Monarch Coach. Ticket, Mr. W. Lambert, carriage* 1*s.*, *porterage* 6*d.*—1*s.* 6*d. W. Walker, porter,* 15*th of January,* 1838.")—he presented the ticket, and said there was 1*s.* 6*d.* to pay—I looked at the parcel, and saw it was directed to me—I opened it, and read a letter which it contained, purporting to be an order for goods—this is it—(*read*)—"*No.* 102, *Great Ormond-street, Bath. Sir,—Having been often asked by several customers for the celebrated Dr. Scott's pills, manufactured by you, I enclose an order for three dozen small boxes and two dozen large ones. I will thank you to send the account to Mr. Hart, solicitor, of Furnival's Inn, who will pay the same, &c., &c. Signed John Marks, chemist, &c.*"—The prisoner said the parcel should have been delivered some hours previous, but in consequence of the bad state of the roads, the coach could not arrive at the Belle Sauvage in proper time—I gave him 1*s.* 6*d.*, and he left the shop—I did not know John Marks, nor ever heard of such a person—I went to Furnival's Inn, and there was no such person as Hart there.

Prisoner. I did not make any observation, but delivered him the ticket and parcel as I had received it—I did not demand 1*s.* 6*d.* *Witness.* He demanded 1*s.* 6*d.*

Prisoner. I did not say it would have been there sooner—he said it was

late in the evening, and I said I supposed it was through the bad state of the roads. *Witness.* He mentioned it himself.

HENRY PARSONS EDGHILL. I am clerk and book-keeper at the Belle Sauvage, and live in Bouverie-street. This parcel has never passed through our office—this printed bill is not ours—ours is a blue ticket—this is not a genuine ticket—I never saw the prisoner till he was at Bow-street—he was never employed at our office since 1819, while I have been there—the Monarch Bath coach comes to our inn, but this parcel, if it had come by it, would have been left at Hatchard's Hotel, in Piccadilly.

WILLIAM HAYDON. I apprehended the prisoner on the 22nd of January.

Prisoner's Defence. I am a plumber by trade—in the beginning of last year I worked for Mr. Killett, of Reigate, who was in the habit of sending parcels by the Brighton coach from there, of which *Long Bill* was the guard—I left there, and worked for Mr. Shepherd, of Long-acre—I was out of work at the time in question, and was coming down Ludgate-hill—I saw *Long Bill* standing there—I went and had a pint of ale with him—he said, "I can put a 1*s.* or so in your way, if you do not mind doing it"—I said I should be very glad—he said, "Meet me to-morrow morning, I am now guard to the Bath coach, having left the Brighton; I can give you a parcel to take out now and then, but you must not be seen in the yard, or the porter will know it, and you can take the porterage"—I met him the following morning, and gave him this money, and he gave me the sixpence for the porterage—I delivered this and three or four more parcels, not knowing there was any thing wrong.

GUILTY. Aged 24.—Transported for Seven Years.

Before Mr. Justice Vaughan.

569. WILLIAM EATON was indicted for b——g——y.

NOT GUILTY.

Before Mr. Baron Bolland.

570. RICHARD WIILLAMS was indicted for feloniously killing and slaying Catherine Williams.—2nd COUNT, describing the deceased as Catherine Weston.

FRANCES WILSON CLARK. I am married, and live at No. 6, Waterloo-street. I know the prisoner, and knew his wife—she was mostly called Mrs. Williams, but I have heard her say she was not married—her own name was Catherine Weston—they lived in the same house as me—they had a room there—I had known them about four months—they lodged overhead, on the first floor—I lodged on the ground floor—this happened on Saturday night, the 30th of December—I saw the deceased that night, first about half-past nine o'clock—she came into my room—she appeared to be sober then—she went out in about two minutes—I did not see where she went to—she came back, and I went out with her after ten o'clock—we went to the Freemason's Arms—she called for James Turvey, and we had a quartern of gin between us three—I left her there, outside the door, talking to James Turvey, and went home—she came in two or three minutes after me—we went into the yard together, and when I came out of the yard I met the prisoner just at the foot of the stairs—he was going

up stairs—the deceased came in, out of the yard, in a minute or so, and went up stairs, and the door of their apartment was locked—the deceased tried it, and could not get in—I asked the prisoner at the foot of the stairs to open the door, saying she had only been into the yard with me—he then opened it and let her in—he was in the room at the time—in a short time after I observed them both go out together, and they came home again together—when they came down stairs they both went out into the street together—the prisoner had been drinking—I observed that when they were going out together—the deceased did not seem as if she had been drinking when she returned the second time—I did not hear her say any thing to the prisoner when they came in together, but the prisoner went out again, and the deceased stopped down with me, standing at the street door—when the prisoner came back again she said to him, "Come in, *Dick;* come in, my dear;" and they went up stairs together—I do not know whether they went into their own room—I saw the deceased afterwards go out for some supper—that was about half-past eleven o'clock—I went out myself, and on my return I found her in my room, crying—she again went up stairs, and came down again—no liquor was sent for into our room—we had a pint of beer—me, my husband, and the deceased, drank it, and after that the deceased went up stairs again—I did not go with her then—she had only been in our room a few minutes—when she went up I heard her try to get into her room—she asked the prisoner to open the door—she pushed against the door, and asked him to let her in—she was very violent—she pushed the door violently, and called him a cock-eyed b——she then came down stairs again.

Q. Did you observe, after drinking with you, whether she was the worse for liquor? *A.* She did not appear the worse—she kept crying very much—she only remained a few minutes down stairs with us each time, and kept going up stairs—she asked me to ask him to let her in, and I did—I went up stairs, but the door was shut—he used a bad word to me, and did not open the door— I came down stairs again, and left the deceased standing at the door—she was up there at the time I went up—she came down again into my room, and staid there two or three minutes.

Q. What time was it when she left you? *A.* The last time she left my room was a little after one o'clock, and in a minute or so I heard her up stairs, trying the door—I had not seen her go up, but heard her up stairs, trying to force the door open, by pushing it very violently indeed—she continued doing so, and directly after I heard a noise as if the prisoner had jumped out of bed, and went across his room in a hurry—I heard a noise, and then heard a faint scream, and a fall down stairs immediately—I immediately struck a light, and went out—I found the deceased lying down, with her head on the threshold of the passage—her head was at the bottom of the stairs, and her feet on the third stair—there are twelve stairs in that flight—they are rather high stairs, and rather steep—I found her mouth moving, rather working about—she was not sensible—there was a graze and some blood on her forehead—that might have happened in her falling down stairs.

Q. What distance from the top of the stairs is the door of the room the prisoner occupied? *A.* The landing is a very small one—I do not know the distance, but it is a very small distance—I do not think it is more than a yard—the door opens inside the room—Mrs. Dunmore and I assisted the deceased, and attended her, but she never moved nor breathed—I saw

the prisoner after I called in the policeman, but nothing passed between us —the deceased had been drinking a quartern of gin with me and Turvey, and a pint of beer with me and my husband, and she told me she had one glass of gin before, at a baker's shop.

Cross-examined by Mr. Phillips. *Q.* Was not the deceased in the habit of going out at night, and drinking? *A.* Yes, she was—I cannot tell how much she might have drank that afternoon and evening—I do not remember the prisoner coming down stairs with a candle, when the policeman was called—I was not there all the time Mrs. Dunmore was—I went out to call the police—the deceased was very violent when she was thumping at the door, and seemed very angry—it was directly after the thumping that I heard her fall down stairs—she had some boiled beef in a basin, for supper, in our room.

Mary Johns. I am single, and live in the room opposite to where the deceased lived. I went out with the deceased that night about seven o'clock—three of us went out together—we came home at half-past nine o'clock—we drank a glass of spirits each while we were out, besides beer—I think we had about three pots of porter between four of us—another person had joined us—when we came home I went into the room, and the deceased and the prisoner seemed perfectly comfortable—I went to bed at a little after ten o'clock—Turvey was in bed with me—he had been with the deceased and me—the prisoner, the deceased, and me, had been down to the Ship tavern to him, and we returned with him—Turvey did not partake of the liquor with us—we had a glass of rum each at the Britannia Tavern—the prisoner was with us—he went out with us at seven o'clock—he was one of the three that drank with us —when we returned, he and the deceased remained in my room a short time together, and they seemed quite comfortable between themselves—it was then near ten o'clock—I saw the deceased again, about ten o'clock, in Salmon's-lane, standing talking to young Turvey, James Turvey's son —I passed her at the door, just spoke to her, and went on—I did not see her again till after one o'clock, when she broke my bed-room door open, after I was in bed—she said she would be b—— if she would not break the b—— door open, and she did break it open, and sat down in a chair.

Q. Could you then see in what state she was? *A.* She certainly was in liquor—I did not rise out of my bed to see, and did not speak any more to her—she sat down a few minutes, and then she said she would break the prisoner's b—— door open—she arose and left my room, and broke his door open, which is facing ours, and a very short space from it—I should not think it is more than three quarters of a yard—when she broke the door open I heard the prisoner or somebody get out of bed, and cross the room—I then heard a scuffle in the passage against the door, and heard a scream and a fall—I heard the door shut before I heard the fall.

Q. Can you tell how long it was between the door shutting and the fall? *A.* Almost instantly—I heard the policeman come, but did not get up, and did not see the prisoner—in the scuffle at the top of the passage it sounded as if one wanted to go in and the other out, and the fall was almost instantly, as it appeared to me—I have never given a different account of that, to my knowledge.

Court. *Q.* You are put down in your deposition as having said—"It was about two minutes between the time of my hearing the door

shut, and my hearing her fall." *Witness.* Then that is a mistake—I said before the Coroner that it was instantly, as I have to-day.

Q. At any time before the Coroner, or before the Magistrate, have you ever said it was about two minutes between your hearing the door shut and her fall? *A.* To my recollection I said before the Magistrate that it was a minute or two—it was a minute or so—I heard the scream before she fell, or just as she was falling, before the door was shut.

Cross-examined. *Q.* It was before the door was shut you heard the scream? *A.* Yes, I think so; and about a minute or two after the door shut I heard the fall—Sparrow keeps the Freemasons' Arms—the deceased was in the Ship with me, and the Britannia, and in the Victoria—four of us drank there, the deceased, the prisoner, myself, and Turvey—we drank one pint of porter there, but no spirits—that was about half-past seven—the Victoria was the next house we went to—we had there a quartern of gin and two pots of beer—the same four persons were there—she and I then went to the baker's shop together, and had a glass of gin each there as a New-year's gift—the next place we went to was the Britannia—the same four perons went there, and had a glass of rum each—we drank two pots of beer there, and one at the Ship—we had nothing but the rum at the Britannia.

Q. Do you know whether the deceased had been to any public-houses before that, on that day? *A.* No, she had not, for I had been with her all day—she was in the habit of going to public-houses at night and drinking; and was a little violent in her temper when drunk—my room door was locked, and she broke it quite open—it was after that she said she would break the prisoner's b—— door open—she thumped very violently indeed at his door—I heard a scuffle in the passage.

Q. Did you ever say the prisoner did not go out of his room? *A.* Yes, I did.

COURT. *Q.* Then the prisoner did not go out of his room? *A.* No—the door of his room is about three feet from the top of the stairs—she had no light with her when she left my room to go and break his door open—there was no light in the passage.

Q. Well, the door being only three feet from the head of the stairs, and she being in a very violent state, is it not very likely that she might have fallen down stairs by accident? *A.* Yes, I do think so; the stairs are very steep indeed.

MR. PHILLIPS. *Q.* Are you aware that the Coroner's Jury found this was accidental death? *A.* Yes.

HANNAH DUNMORE. I am a widow, and live in the same house as the last witness. I heard the prisoner's door burst open on this night, while I was in bed—I believe it was the deceased burst it open—I then heard a scuffle on the landing—before that, I heard her say she would go into that room—I did not hear any thing in that room—after the scuffle on the landing, I heard her scream murder three times—I then heard a faint scream, and directly she fell down stairs—I did not go out till I was called, as they were in the habit of quarreling very frequently—it was about half-past one o'clock when I went out—I found the deceased lying in the passage close against my door—I observed a mark like a graze on her forehead—that might be occasioned by falling down stairs—the prisoner came down stairs while the police were being fetched—I said to him, "Williams, you have killed your wife"—he said it served her right; he was not going to

keep the door open for her all hours of the night; she ought to have come in—I am sure the expression I used to him was, "Williams, you have killed your wife"—I said so before Mr. Coombs, the Magistrate.

Q. Did you not say before Mr. Coombs, "Here is a pretty job, your wife is dead?" *A.* That might be so—I might say that certainly, it is the same meaning—I said, "Here is a pretty job, you have killed your wife."

Q. Which was it you said? *A.* "It is a pretty job, your wife is dead"—I now recollect those were the words, and it was in answer to that he said it served her right—he seemed perfectly sober at that time when I spoke to him—quite sober, as it appeared to me—I had not seen him before that evening—I did not hear the door shut at all—I did not notice it—whether it shut before I heard the fall, or after, I do not know.

Cross-examined. *Q.* Have you been talking to any body about the evidence you were to give here to-day? *A.* No—I am sure of that—I had not seen the prisoner before on that evening, but he appeared quite sober then.

Q. Did you ever say this, "He had been in liquor, but it seemed to have sobered him?" *A.* Yes, I did—I had not been drinking with the deceased that night—I had had nothing.

Court. *Q.* What distance is it from the door of the prisoner's room to the top of the stairs? *A.* About a yard.

George Clark. I am the husband of the first witness. I came home on this Saturday night about half-past eleven o'clock—while I was eating my supper Mrs. Williams came into my room—I was having some beer with my supper, and she partook of it—we had a quart between me and my wife, when we first began supper—it was partly drank when the deceased came in—she drank once out of that quart—she went away, and I went to bed—I cannot say whether the prisoner was in bed then—I never saw him—I went to sleep, and was awoke by the deceased making use of very improper language—she called him a d— b——I knew her voice, and am sure it was her—I do not know whereabout she was at the time—it appeared that she was abusing the prisoner—that was all I heard—I fell asleep again, and did not wake till my wife struck a light—I went out some time afterwards, and saw the deceased lying stretched on her back in the passage—I believe my wife had moved the body at that time—she was quite dead.

Q. At what hour was it you last saw the deceased? *A.* I am sure I cannot say—it was at my supper-time, about half-past eleven o'clock, or it might be towards twelve o'clock—it was nearer to twelve o'clock—she was about a quarter of an hour under my observation at that time—she spoke very sensibly to me then, and did not appear to be intoxicated.

Cross-examined. *Q.* How often did you have beer at your supper? *A.* I had part of a pot at supper, and a pint after—I only sent once for beer while she was there—I cannot tell whether she was a well-conducted woman when sober, as she was an entire stranger to me—I never spoke a dozen words to her in my life.

Thomas Marshall. I am a policeman. On Sunday morning, the 2nd of December, I was called in, and found the deceased at the foot of the stairs, dead—there were several persons, both male and female there—Mrs. Clark was there, the last witness and Mrs. Dunmore—they pointed the prisoner out to me—he was standing on the first or second stair—he im-

mediately surrendered himself to me—I told him what I took him for—he said he might have pushed the deceased, but he did not push her down stairs, nor cause her death.

Cross-examined. *Q.* Did not he add that she was in liquor? *A.* He did.

WILLIAM GRIFFIN. I am a policeman. I was called in between one and two o'clock, on Sunday morning—I know nothing of what took place on Saturday night—when I got there, I found Marshall had the prisoner in custody—I saw the deceased lying in the passage—I asked the prisoner how the woman came down stairs—he said she had come home two or three hours after he was in bed, and burst open the door, that he got out of bed, pushed her out of the room, and shut the door, but he was not aware at the time that she had fallen down stairs, he thought she was sitting on the landing still—the door is two feet three inches from the top stair—the door opens inside, and from the nearest door-post to the top of the stairs, it is two feet three inches—the lock of the door is towards the staircase—the landing itself is two feet six inches wide, and the length from the top stair to the wall is four feet nine inches—at the end of the landing against the wall there stood a pail with a tub on the top of it, which measured seventeen inches oval—it is two feet six inches from Williams's door to Turvey's—there are twelve stairs, nine of them are very steep—there is a turn at the bottom of them.

RUTH MARY SMITH. I am the wife of William Smith, who is a rigger. I live at the back part of the house, up the other staircase—the head of my bed stands against the wall dividing my room from Williams's, and the head of his bed comes against the wall—we can hear every thing that passes very plain.

Q. What was your attention first called to on this night? *A.* I heard the deceased go up stairs, soon after eleven o'clock, and heard her ask the prisoner to let her in—he said he would not, and where she had been she might go again, for she should not come in that night—I heard her go down stairs, but whether she went out or not I cannot say—I heard nothing more till after one o'clock, when I heard her go up stairs, and ask him to let her come in—he said he would not—I heard her knock violently at the door, and heard the door open.

Q. Could you tell whether she burst it open, or whether the prisoner opened it? *A.* No, I could not—I heard a faint scream and a fall—the scream and the fall were nearly together, as she fell I fancy, for it was momentary—I got out of bed, and stood on my own stairs, and saw the deceased lying in the passage.

MELLONY DICKENSON. I am the wife of a carpenter. At half-past eleven o'clock on this night I was awoke by a violent knocking at the door, and heard the deceased ask the prisoner to let her in—she cried bitterly, and said she did not deserve it—I heard her go down stairs, but where to, I cannot say—I heard her come up stairs again immediately—she knocked at the door again, and made use of an improper expression—I heard the door opened, but by whom I cannot say, and I heard the cry of murder—I was in bed at the time, and I heard a sudden fall down stairs.

Q. Are you correct as to the time? you say it was half-past eleven o'clock? *A.* I had been in bed some time, and cannot say exactly.

Cross-examined. *Q.* How far is your bed-room door from the door of

the deceased? *A.* I cannot say—I live up another staircase—the deceased knocked so violently at the prisoner's door that it shook my door.

JAMES TURVEY. I am a labourer, and live in this house. I heard the deceased shaking at the door about eleven or twelve o'clock—I cannot tell the time exactly—I was sober—I heard her go down stairs again—she was gone some time, and I went to sleep—the next I heard was, she came and burst my door open—the fastening was not very good—she said she would stop there that night, as she was locked out of her own room—she sat on the chair several minutes, then got up, used a bad expression, and went towards her own door—I heard her say, "You cock-eyed b—, I will come in"—she knocked at the door, and ran to the door, and I heard it open almost directly—I believe it was burst open—I heard the prisoner get either off the bed or off a chair.

Q. Then you heard the door open before you heard the prisoner move? *A.* Yes—I heard a scuffle for a very short time, and heard her scream out, and heard her fall directly.

Cross-examined. *Q.* About what time did she burst your door open? *A.* About a quarter of an hour before she broke open her own—I had been drinking with her that night—we were in three public-houses—I was not alone with her in Parson's public-house.

Q. Was not your door locked? *A.* Yes—I was in the same room with Mrs. Johns—the deceased was so violent as to break open the lock of my door, but it was not a very good one.

WILLIAM SPINKS CUMMING. I am a surgeon. I was called in to examine the body of the deceased—I examined it externally, and found only a little graze on the left temple—I perceived also that the left side of the head was bruised—I perceived no other external appearances—I afterwards opened the body, and discovered the neck was dislocated between the first and second vertebræ.

Q. From your examination of the body, both before you opened it and afterwards, were the appearances such as would naturally take place from a person falling down stairs? *A.* Certainly—she appeared to have fallen rather sideways—there was nothing on the body to show that any violence had been used which might not have resulted from falling down stairs.

NOT GUILTY.

Before Mr. Justice Patteson.

571. FRANCES JOHNSON was indicted for stealing, on the 17th of January, 60 yards of silk, value 9*l.*, the goods of George Drake Sewell and another, in their dwelling-house.

MR. JOY *conducted the Prosecution.*

JOHN SPINKS. I am assistant to George Drake Sewell and Thomas Cross, of Frith-street, Soho. I recollect the prisoner coming to their shop, on Wednesday, the 17th of January, between four and five o'clock—she asked for a small piece of sarcenet, which she had; and then asked the young man for a short length of furniture of a particular pattern, for which she paid 1*s.* 10½*d.*—when she was gone I missed between fifty and sixty yards of black silk, worth 9*l.*, which was on the counter when she came into the shop—in consequence of information, I went next day to several pawnbrokers, and saw the prisoner at Mr. Bartram's shop, with some of the silk lying on the counter—it was part of the piece which I

had lost—I gave her in charge, and said I was sorry to see her in such a situation—she said if I would allow her to go she would pay me for the silk.

Q. Did she say where she got the silk? *A.* She said she bought it of some woman living in St. Martin's-street—we went there, but she had not done any such thing.

Cross-examined by MR. CLARKSON. *Q.* Do you know any thing of the partnership between Messrs. Sewell and Cross? *A.* Yes—there are no other partners—I am quite sure of that—no other person receives any portion of the profits of the business—the young men sleep in the house—the house is let to Messrs. Sewell and Cross on lease—it is let to both of them—the rent is paid by them jointly—neither of them reside on the premises.

WILLIAM HUNT. I am shopman to Mr. Bartram, a pawnbroker in Princes-street, Soho. The prisoner came to our shop on the 18th of January, between three and four o'clock in the afternoon, and offered a piece of silk in pledge—she did not pledge it—this is the piece of silk—(*producing it.*)

JOHN SPINKS *re-examined.* *Q.* Is that the silk which was on your master's counter on the 17th of January last? *A.* It is part of it.

MR. CLARKSON. *Q.* What do you know it by? *A.* Our private mark—here it is—(*pointing it out*)—that was put on it when I bought it, before it was stolen.

RICHARD DUNNELL. I am shopman to Mr. Fleming, a pawnbroker in St. Martin's-lane. I recollect the prisoner coming to our shop on the 18th of January—she pledged this silk for one guinea.

Cross-examined. *Q.* How much is there? *A.* Fifteen yards—I have the duplicate.

JOSEPH WILLIAM CLARK. I am shopman to Mr. Boyle, a pawnbroker in the Strand. I believe the prisoner pledged this piece of silk at our shop on the 18th of January—I gave her 1*l.* 15*s.* for it—there is twenty yards.

JOHN SPINKS *re-examined.* To the best of my belief these are portions of the sixty yards of silk which we lost.

MARK TEASDALE. I am a policeman. I took the prisoner into custody at Mr. Bartram's, and took the twenty-eight yards of silk from the counter at the same time.

(MR. CLARKSON, *on the prisoner's behalf, stated, that she was in the greatest possible distress at the time, having three young children, and a husband out of employ.*)

(Wilhelmina Noade, of No. 6, Windsor-court, Monmouth-street; and David Johnson, the prisoner's father-in-law, deposed to her good character; and stated that she was in a state of great poverty and distress.)

GUILTY. Aged 28.—*Strongly recommended to mercy.*—
Confined Three Months.

Before Mr. Justice Vaughan.

572. JAMES WHITE was indicted for stealing, on the 20th of May, 4 lambs, price 3*l.*, the property of George Mercer Murray.

MR. BODKIN *conducted the Prosecution.*

JOHN SMITH. I was taken into custody a short time ago for trespassing, being on some ground—I was taken before a Justice, and afterwards made

a statement of what I had been engaged in—I was committed to give evidence, and have just come from Newgate—I was committed on this charge—in April last I was in company with a man named Fitzwater—he is at Woolwich now, I believe—*Dick* Matthews and the prisoner were with me also—Fitzwater was not transported for this offence, it was for fowl stealing—we all lived at Hounslow.

Q. On the evening in question, did you all four come from Hounslow to near Mr. Murray's house? *A.* Yes—we got there about twelve or one o'clock at night, and went into a meadow near his house—there was a flock of sheep there—we drove them up into a corner, and took four lambs—they were not killed in the field—they were taken about three or four fields off, and skinned—we left the skins on the spot.

Q. How did you carry the lambs there? *A.* Each carried one on his back—we went over the fields to the place where we killed them—we put the carcases into some saltpetre bags which are used at the powder-mills—there were four bags—we each carried one—I know Colonel Wood's Cover—we skinned them there—we took two home that night—I had my share and the others had theirs—as we went home that night we passed Mr. Dickens' lodge-gate, and saw Thomas Greenwood there—he spoke to us, and said, "It is a fine night, my lads," or something—I do not know which he spoke to, but the prisoner answered him, and said, "Yes, it is"—I did not know who the man was at that time, but after we had passed him the prisoner said, "That is *Tom* Greenwood"—that was all that passed between us, and we went on our way.

Q. Do you know whether the prisoner took his share of the lambs to his house? *A.* Yes—it was all carried there—Fitzwater and he lived together, and Matthews lived next door—the prisoner took his in a saltpetre bag—we parted company about two o'clock, before we got home—I went away home up the road with the prisoner, and the other two went away over Mr. Wood's cover.

COURT. *Q.* Were you never in custody but once before? *A.* Never—I have never been tried—I had thirteen weeks for the trespass—that is about four months ago—it was not a night trespass—it was pretty near upon six o'clock in the morning—it was not in the winter—it was four months ago, just after harvest.

Q. What has become of Matthews? *A.* He has run away—I am twenty-nine years old.

JOHN FREEMAN. I am a labouring man. Last April I worked for Mr. Murray—I remember four lambs being stolen on the 21st of May.

MR. BODKIN *to* JOHN SMITH. *Q.* Was it in April you met Greenwood? *A.* Yes, I think it was—it was the same night as we stole the four lambs from Mr. Murray's.

JOHN FREEMAN (*continued.*) Master never lost four lambs but on the 21st of May—the skins of them were found near Mr. Wood's cover, about four fields from our field—they were found there on the 21st of May, the same morning that the sheep were missed—I saw the skins.

Q. Were they the skins of your master's lambs? *A.* I cannot swear to that—I gave them to master—I had seen the lambs the day before—they were living then.

JOHN HOWE. I am gamekeeper to Sir Frederick Pollock. In May

last I was in the employ of Mr. Curtis near Laleham, on the road between that and Hounslow—it is between five and six miles from London—the estate has since been sold to Sir Frederick Pollock—in May last, between eleven and twelve o'clock one night, I saw the prisoner with Fitzwater, the witness Smith, and a fourth man, whose name turns out to be Matthews—I do not exactly know the date of the night—Fitzwater has since been transported.

Q. Did you speak to either of them? *A.* I spoke to Fitzwater, and he answered me—I said, "Well, *Pluck*, then you are out again?"—he was known by that name, and was a noted poacher—he bid me good night, and walked on—the prisoner was in company with them—they were going in a direction from Hounslow to Laleham, in the way to Mr. Murray's place—they were about six miles from Laleham—I cannot remember whether it was early or late in the month, for I repeatedly saw them on the road.

Prisoner. *Q.* Can you swear to me? *A.* Yes.

THOMAS GREENWOOD. I was watchman to Mr. Irvine. I remember being out about two o'clock on the morning of the 21st of May, by Mr. Dickens's lodge—I live in the lodge—I had just come up to the gate, which is about a quarter of a mile or so from Mr. Murray's place—I saw two men go along the road—one was Fitzwater, and I believe the other to be Smith—I cannot say that I saw the prisoner—I do not believe he was there—I do not know—there was only two.

Q. Are you sure you only saw two? *A.* Only two—I went in, and went to bed directly after I spoke to them—they appeared to me heavily loaded—I cannot tell what they were carrying, as I was on my master's grounds, but they appeared to be heavily loaded with bags and sacks across their shoulders—I did not stay two minutes, but went in directly—I cannot say whether anybody came by afterwards.

ROBERT TAYLOR. I am inspector of the police at Staines. I searched the prisoner's house after I took him on this charge, on the 1st of January—I took him into custody on the 29th of December—I found three saltpetre bags at his house, and one at Smith's lodging.

COURT. *Q.* I suppose these bags are very common? *A.* I have seen several in the country—there is a little stain of lamb's blood on one bag found at the prisoner's house—it is scarcely perceptible—it has every appearance of being blood—I should say it has been on a long time.

Prisoner's Defence. I know nothing at all about it—I am innocent.

COURT *to* JOHN SMITH. *Q.* How many other felonies have you been guilty of? *A.* Nothing else—I have never been tried for any thing—I have not been concerned with these people in offences at different times—I have given evidence before the Magistrate in four cases—I have known the prisoner Fitzwater and Matthews a long time—about a year and a half.

Q. And have been engaged with them in some bad transactions? *A.* I was, with these sheep, and have been poaching with them, but never in any felony—nothing else but the sheep cases—I have been engaged in other sheep concerns besides this one—there are three indictments—I cannot say on what days of the month they were committed—but it was about April or May, or somewhere there.

Prisoner. Greenwood says it was Smith and Fitzwater passed, and not me.

NOT GUILTY.

573. JAMES WHITE was *again* indicted for stealing, on the 10th of April, 1 ram, price 30*s*., the property of John Irvine.—2nd COUNT, for killing with intent to steal the carcase.

(Upon which no evidence was offered.)

NOT GUILTY.

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574. JAMES WHITE was *again* indicted for stealing, on the 25th of April, 2 sheep, price 4*l*., the property of John Peto.—2nd COUNT, for killing with intent to steal the carcase.

(Upon which no evidence was offered.)

NOT GUILTY.

Fourth Jury, before Mr. Recorder.

575. GEORGE GREEN was indicted for stealing, on the 29th of January, 4 printed books, value 8*s*., the goods of Henry Bickers; to which he pleaded

GUILTY. Aged 23.—Confined Three Months.

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576. DANIEL SINFIELD was indicted for stealing, on the 26th of January, 12lbs. weight of sugar, value 8*s*. 6*d*., the goods of James Deane.

MARY DEANE. I am the daughter of John Deane, living at No. 40, Middlesex-place, Hackney-road. On the morning of the 26th of January, I was sitting in the parlour at the back of the shop, and saw the prisoner come in, take a loaf of sugar from the window, and walk out with it—I followed him, and saw it lying by the next house—he threw it down when he was collared—I picked it up, and he was brought back in about five minutes—this is the sugar—(*looking at it.*)

WILLIAM HUBBARD. I am eleven years old, and live at home with my father. I was standing at a butcher's shop opposite Mr. Deane's, and saw the prisoner's hand up at the shelf—he took the sugar, and ran out with it, and threw it down when Miss Deane came out—I called "Stop thief," and saw him stopped—there was another one with him who walked on—the prisoner had looked in at the door, and then whispered to him before he went in.

RICHARD KNIGHT PARKER. I am a carpenter, and live at Hackney. On the morning of the 26th of January, between eleven and twelve o'clock, I saw the prisoner running, and Hubbard running after him—I met the prisoner, and endeavoured to take him—he ran into the road, and I secured him—he said, "I have not stolen any thing, I am only running to warm myself."

GEORGE HOMER. I am a policeman. I was on duty in Hackney-road when the prisoner was brought in custody—I produce the sugar which I received from Mary Deane.

Prisoner's Defence. I was running down the road to go home to warm myself, being very cold, and a gentleman stopped me—I asked him what he stopped me, for as I had not stolen any thing.

GUILTY.* Aged 18.—Confined Six Months.

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577. JOSEPH BALLARD was indicted for stealing, on the 22nd of January, 1 jacket, value 2*s*., the goods of George Pearce.

WARREN DRAPER. I live in Westmoreland-street, Kingsland-road.

On the 22nd of January, I was going along Kingsland-road with my horse and cart, and saw the prisoner take a jacket off a brewer's dray which was passing—he ran down a turning opposite the Fox with it under his left arm—I gave information to Pearce.

GEORGE PEARCE. I am a brewer's servant. On the 22nd of January, between ten and twelve o'clock, I was in Kingsland-road with my master's dray—I observed the prisoner running down Fox-lane with my jacket—he dropped it as I followed him—I did not lose sight of him till he was taken—I am certain of him.

THOMAS BENSLER SHAW. I live in Harford-road, and kept a beer-shop at the time in question. I saw the prisoner running down Fox-lane with something under his arm—he dropped it, and I stopped him in Harford-road.

JOHN SULLIVAN. I have the jacket—the prisoner was given into my charge.

(*Property produced and sworn to.*)

(The prisoner received a good character.)

GUILTY. Aged 18.—*Recommended to mercy by the Prosecutor and Jury.*—Confined One Month.

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578. MARY FLEMING was indicted for stealing, on the 23rd of January, 7 yards of dowlas, value 5*s.*, the goods of William Nicholson.

THOMAS CHAPMAN (*police-constable F* 20.) On Tuesday, the 23rd of January, in the evening, I was on duty in Holborn, and saw the prisoner in company with two females—I turned the corner of Southampton-buildings, and saw the prisoner and the other two run from the prosecutor's shop—I saw something under her apron—I ran after her, she got before me, and nearly knocked a lady down—I pursued again, and she threw the property down about five yards before I got to her—I secured her, and a young man brought the property to me—she said, "It was not me stole it; it was the other two girls"—I took her to the shop, and Mr. Nicholson claimed the property—it is dowlas.

WILLIAM DU BOIS. I am a bookseller, and live in Wellington-square, Gray's Inn-lane. I was in Chancery-lane on the night in question, and the prisoner ran by me—I saw her drop this piece of dowlas, and I gave it to the officer—I am sure she dropped it.

WILLIAM NICHOLSON. I am a carpet warehouseman, and live at No. 318, High Holborn. This dowlas is mine—it measures seven yards—I had seen it safe in the morning, and I know it by the mark—it is worth 5*s.*—the prisoner was brought into the shop with it, about eight o'clock in the evening.

Prisoner's Defence. I was going along Chancery-lane alone—a gentleman came and asked what I had under my shawl—I said I had nothing—he was coming up the street—a man with some linen came, and the policeman asked where he got it—he said he picked it up—the policeman asked if he saw me drop it—he made no answer—he came back to the shop, and then said it was me that dropped it.

THOMAS CHAPMAN *re-examined.* I did not ask what she had under her shawl—I had seen her drop it—she pretended to be tying up her stocking or something when I caught her—there were three of them—I stopped the other two first, but they had not got it, and I saw the prisoner throw it

away—she said, "You ought to take them two; we were all three in it"—I asked what she had under her shawl, because I thought she had a second piece.

(The prisoner received a good character.)

GUILTY. Aged 15.—Judgment respited.

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579. DAVID PRICE was indicted for stealing, on the 21st of January, 20 pairs of skates, value 5*l.*, the goods of Charles Hamilton: and 1 pair of skates, value 5*s.*, the goods of George Chilton.

CHARLES HAMILTON. I live in Chelsea, and am a gardener. I have the charge of the skates belonging to the Skating Club—on Sunday night, the 21st of January, I put the skates into a box, and locked it—there was a pair belonging to Mr. Chilton, of the Temple, among them—on Monday morning, at nine o'clock, I found the box broken open, and all the skates gone—the box was in a tent.

JOHN EDWARD WILDE. I am a general dealer, and live at No. 4, Stingo-lane, Marylebone. On Tuesday last the prisoner and another came to my shop—the prisoner had a pair of skates—he said, "I want to sell a pair of skates"—I said, "They are dangerous things to have any thing to do with; what do you want for them?"—he said 3*s.*—I shook my head, and he said, "You may have them for 2*s.*," which I agreed to—I gave my wife a nod (having had information of skates being stolen) to go for a policeman—the prisoner ran out—I thought to catch the other, but he threw me down, and ran out after the prisoner.

Cross-examined by MR. PRENDERGAST. *Q.* Was the other person bigger than him? *A.* Not bigger—the other man ran out when the policeman ran after the prisoner.

JAMES LAURENCE (*police-constable D* 97.) Mrs. Wilde came to the station-house, and I went to Wilde's house, and found the prisoner there—I asked if the prisoner was the person who had offered them for sale—Wilde said he was—I was going to take hold of him, when he ran out up the lane into Lisson-grove—I followed, calling "Stop thief," and a gentleman caught him—I took him into custody, and found another pair of skates on him—he said he did not know they were stolen.

Cross-examined. *Q.* Did not he mention the name of the other man? *A.* Yes, at High-street office—he said it was George Braden, and I took that man up, but the Magistrate let him go—he undertook to appear on the Monday following, but he did not, and I have not been able to find him since—I have looked for him—I did not know the prisoner before.

CHARLES HAMILTON *re-examined.* I know both these pairs of skates—I have had one pair in my possession five years—they belong to Mr. George Chilton—I take care of them from year to year, after the season is over.

Cross-examined. *Q.* How do you know his name is George? *A.* I have the name in my book—that is the name he gave me.

(MR. PRENDERGAST *stated the prisoner's defence to be that the man who was not in custody committed the robbery, and gave them to the prisoner to sell, but he was ignorant of their being dishonestly obtained.*)

(The prisoner received a good character.)

GUILTY. Aged 18.—Confined Three Months.

580. JOHN HODKINSON was indicted for stealing, on the 27th of January, 20 iron bars, value 1*l.* 15*s.*, the goods of John Lemont and another.

EDWARD YOUNG. I am in the employ of Messrs. John Lemont and Co., brewers, Pollard's-row, Bethnal-green. On the 27th of January, I placed a quantity of brass and iron on a piece of vacant ground near our premises, and put a full barrel of ale in front of them, to hide them—they were safe at eight o'clock in the evening, and next morning, at eight o'clock, I missed them—a barrel was missing from another part of the place, and six of the rails—they are cast-iron.

GEORGE TEAKLE (*police-constable H* 8.) I was in Bethnal-green-road on Saturday afternoon, and saw the prisoner, in company with another man, driving a donkey-cart across Hare-street fields, with something very heavy in it—I followed them—the other walked away—I caught the prisoner, and examined the cart—it contained six bars of iron wrapped up in a counterpane and a woman's shawl—he said they belonged to the other man who was gone away—I asked where he lived—he said he did not know, but he had employed him, and he was to take them to Shoreditch, but he could not tell to what house, as the man was to meet him in Shoreditch—I took him to the station-house—I made inquiry, and found that twenty bars had been stolen from the prosecutor the night before, and these six were identified—the donkey and cart were claimed by Ann Wiltshire.

Prisoner. I did not tell you the man promised to meet me in Shoreditch, I said he was going with me to Shoreditch. *Witness.* He said the man who walked away was to meet him in Shoreditch.

Prisoner. The other man walked off, and he never made any alarm after him, and I stopped. *Witness.* If I had pursued him, I should have lost the property and the prisoner.

Prisoner. He never attempted to stop him when I called out to him. *Witness.* He did not call out to him.

Prisoner. I called to him to come back, and said, "What are you going on so fast for?" *Witness.* He did not.

ANN WILTSHIRE. I am the wife of William Wiltshire, and live in Abbey-place, Essex-street, Bethnal-green-road. On Saturday last the prisoner came to my house, and asked me if my husband was at home—I said yes; but he was ill and asleep—I asked what he wanted—he said, "I want the cart, if you please"—I said, "The boy has just taken the harness off the donkey, you can go and take it"—he put the harness on the donkey—a man came to him, and they went away in the cart—the donkey belonged to the prisoner himself, and the cart to my husband—he lends my husband the donkey, and my husband occasionally lends the prisoner the cart—we have kept it for him for three or four months, as he had nothing to do for it.

Q. Did he ever let it on hire? *A.* No, he only has our cart to fetch things from market—he sells things in the street, and has the cart to bring things from market in—we do not let it out—it was a very small spring truck, but my husband had shafts put to it.

(*Property produced and sworn to.*)

Prisoner's Defence. Last Saturday I came out of my father's house, about half-past nine o'clock in the morning—I went to Spitalfields to buy apples—the market was in a dreadful state, every thing was frozen—I

bought nothing, but came out, and in Church-street met John Greenwood —he asked if I had any thing to do—I said not—he said, "Will you do a job, to move a few things for me, I will give you a shilling?"—I said, "Where is it to go?"—he said, "Into Shoreditch: can you go now?"—I went with him to Mr. Wiltshire's house and got the donkey and cart—Greenwood went with me to Hare-street-fields—he went in at the gate and brought out two iron bars wrapped in a shawl—he said it was only two bits of iron—he brought out the rest and said, "Come on"—when I had got about 200 yards this gentleman stopped me, and asked what I had got—I said, "I believe iron"—he said, "I want you to accompany me to the station-house, and give a description of the person who has left you" —I said, "Very well," and went—the Inspector sent the donkey to the green-yard, and I was to go before the Magistrate—I was remanded, and came up again last Wednesday—the iron was wrapped up in different things.

Ann Wiltshire *re-examined.* The prisoner bore an honest character, for any thing I know—he was frequently about our house—I have known him six months, and have heard the neighbours say they never knew him guilty of any fault.

NOT GUILTY.

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581. GEORGE MIDDLETON was indicted for stealing, on the 27th of January, 6 loaves of bread, value 9*s.*, the goods of Charles Wilson; to which he pleaded

GUILTY. Aged 15.—Confined Seven Days.

NEW COURT.—*Friday, February 2nd*, 1838.

Sixth Jury, before Mr. Common Sergeant.

582. JOHN HARDING was indicted for stealing, on the 15th of January, 20lbs. weight of rope, value 5*s.*, the goods of Walter Frederick Wingrove, in a certain barge in a port of entry and discharge.

Mr. Clarkson *conducted the Prosecution.*

James Christopher Evans. I am one of the Thames-police Surveyors. I know Mr. Lewis, the dock-master, of the Regent's Canal Company—I got information from him that induced me and Fogg to go, on the 15th of January, to the Regent's Canal Basin—about seven o'clock I concealed myself with Fogg in a little box—there is a jetty there, and barges lying under it—in about twenty minutes I saw a man go from the jetty to a barge —in a few minutes the same man came from a barge to the jetty—I heard him hauling something like a rope; and he went across the jetty—he then ran towards the gate—we ran out of the box towards him, and he threw the rope from his shoulder—I ran to the gate, and caught his foot, but he kicked it out of my hand—I ogot ver, and pursued him to White Horse-street, Stepney—I did not lose sight of him—when I got there he ran into a public-house—I was gaining on him—I ran in, ran past the tap-room door to the bar, and was just asking the landlord where that man was, when he ran out of the tap-room into the street—I ran, and took him —I said, "I have got you at last"—he said, "Well, I won't run away"—

he was so out of breath he could hardly speak—it was the prisoner—I am quite sure he is the man.

JAMES FOGG. I am an officer of the Thames police. I accompanied the last witness, and have heard what he has stated—it is true—I secured the rope which the prisoner dropped, and compared it with the remaining headfast that was there—it corresponded exactly—I knew the prisoner before—I knew him when I saw him there.

JAMES JONES. I am lighterman to Mr. Walter Frederick Wingrove. This rope is a headfast—I believe it to be my master's property—I saw it on Saturday, and it was lost on Monday evening—I saw it on Tuesday morning at the Dock-office, and could swear to it.

JOHN GREEN. I am a lighterman in the service of Mr. Walter Frederick Wingrove—his wharf is in the Regent's Canal Basin. I know this rope is his.

JAMES FOGG *re-examined.* The Regent's Canal Basin is a port of entry and discharge.

GUILTY. Aged 28.—Transported for Ten Years.

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583. HENRY WILSON, *alias Fairbairn*, was indicted for stealing, on the 20th of December, 5*s*., the monies of Fanny Wellard; and that he had been before convicted of felony.

MR. DOANE *conducted the Prosecution.*

ANN JENKINS. I am a widow, and reside in Brunswick-street, New-road. I am acquainted with Fanny Wellard—I also know William Sym, a prisoner in the House of Correction—they were on intimate terms—Miss Wellard resided at Manchester—in November last the prisoner called on me several times—he brought a letter to me to be given to Miss Wellard—I forwarded it to her—this is the one I forwarded to her—I gave him 1*s*.—I am certain he is the person—(*letter read.*)

"Coldbath-fields, Sunday, Nov. 12, 1837.

"My dear Fanny,—You will be a little surprised at receiving a note from me, as it is quite against the rules of the prison; but even here I have found two good friends who have kindly undertaken to allow me the privilege which I eagerly embrace; my turnkey, in his great kindness to write for me, and a friend of his, one of the engineers, to convey this to you, and will also return me an answer. Now, my dear girl, my writing to you must be kept a profound secret, as should it be known I have written, or got to write, I should not only lose my situation and be punished and sent to hard labour, but both the turnkey and engineer would in all probability lose their situations; therefore, for God's sake, be very circumspect, and do not allude to my having written in any letters you may send to me through the gate, as they are all first read by the Governor before I get them, do therefore, for my sake, keep it to yourself as much as possible; and any thing you wish to say to me privately, transmit it to me in writing, through Mr. Greenway, the engineer, who will send one of his men to call upon you once or twice a week. The bearer is a distant relation of his, and one he says he can put every confidence in, though he will not know where this is from, and you need not say. I shall not, according to the rules of the prison, be able to write to you myself until the expiration of six months, and then, they say, nothing but the Governor will see; and if you should get another order to see me, the time is so

short, and we are so overlooked, there is no speaking what I could wish. I was very glad to see you the other day, but it made me very dull afterwards. Do not say any thing about Mr. Willmott's business, except in the letters sent through my friend, and in them you may say any thing, as I shall receive them perfectly safe. This is a privilege I do not suppose there is a prisoner in the house has but myself, which I may thank my two friends for, who have got me placed in the situation I am, which entirely exempts me from work, as I have nothing to do but to look after the men, and to see that they do their work, and attend on the turnkey, keep an account of the men on slates, and to look after the yard where I am stationed. Oh, my dear Fanny, what a happy release it was for me or when relieved from work on the tread-wheel? I think it would have killed me. I may, through proper conduct, keep my place the remainder of my imprisonment; therefore be most careful in any letters you may send in to me through any other way than by my friends, or whatever way, or when you call, if you should be able to get another order before you go into the country. Now, my dear, I will acquaint you with my wants; and I feel confident you will, as far as possible, send me what you can. If you will get me two Guernsey frocks, such as fishermen wear, let them be a large size, long in the arms and body, as we never see a fire all winter, and my place exposes me very much to the frost and cold; also a pair of warm gloves—worsted. I received the pair you sent, but as they are leather, they are so cold; get any you think the warmest, and a comforter for my throat. You can, at the same time, send me the flannels you bought for me the other day; and I should like a change of apparel—a coat, one or two waistcoats, a pair of trowsers, a pair or two of stockings; and if I had my great coat, I could wear it in the mornings, before the Governor goes round, and in the evenings, after he has been. Do not think me too troublesome, as my situation is uncomfortable. I know you feel pleasure in making it as comfortable as you possibly can; and my friend will get these things conveyed to me unknown to the Governor, as any thing of the sort is not allowed. If you can, also send a shirt or two, and a pair of shoes, strong and warm, for the stones are very damp; and I have all the winter to get over. Call at (my dear girl) Mr. Blackburn's, about my father's picture; you will find the paper of it in my pocket-book. Call before the 8th of next month. I hope you found all to your wish respecting Mr. Willmott's business. I shall be glad if there is enough for you to benefit from. Send me word, when you write, by my friend; but if you should write to me in any other way, do not mention it, as I do not want them to know: or at least, if you do, let it be in a very dark manner. I send this to Mrs. Jenkins's, as I do not know whether you are at your sister's, or where you are. Let me know how you are, and all particulars—how far you have succeeded in Mr. Willmott's business; and remember me to all my sister's family, and accept my love to you. Believe me to be ever yours most affectionately,

"Wm. Sym."

"P.S. I write this on a slate, and my turnkey is going to copy it for me on to paper, as I durst not be allowed pen and ink; so he will write it as if he was writing from himself. At present, my dear F., I have acquainted you with all my wants, which if you can, relieve me; and I trust you will, and by so doing, alleviate as much as possible my present situation. His friend, the engineer, will send it to Mrs. Jenkins's by one of the men,

as I have mentioned above, who you must satisfy for his trouble; and tell him when to call again; and in respect of the things in your letter, I will write again, and tell you more about my way of living and my duty. My living is very low indeed, but I am happy compared to some; I have very many extras in my present situation.

"Sunday, Nov. 12th, 1837.

(*Continued.*) "I hope you will keep up your spirits, and continue in good health. Send me word when you expect your things. Put in all particulars, for I shall send in a person to assist in getting the things into the house, and arranging them. Our engineer says I cannot have a better than the bearer, who is used to furniture and wood-work. I shall expect to hear from you by Wednesday, and Mr. Greenaway will send his man up for it. Mind and pay the man for his trouble, and let me hear from you as soon as possible, as I am very anxious to hear about Mr. Willmott's business, and how you are. Give my love to all your sister's family. Do not fail to write soon, and send the things I have mentioned, if possible. Pack them up as small as possible, and tie them in a handkerchief, as I want one very much. All the things I had on, and brought in with me, are taken from me, and I cannot get any of them until I go out; and they take every thing from us, money and every thing, and clothe us with their nasty clothes, as cold as they are coarse. I do not feel like myself in them, and to put some of my own things on will be a great treat; and I can slip the others over them about the time the Governor comes round. Do not fail to send me whatever you can, and I must add another want to those already made, which I am afraid you will think too many; that is, if I had a trifle of money, I might get many little comforts bought for me; though it is strictly prohibited, yet my friends will oblige me. If you can spare me a little, do, my dear F., and sew it in one of the pockets of the trowsers or waistcoats; and when I get out, I hope, through God's grace, to make you every amends for the great trouble I have caused you. Forgive me, my dear F., and we may yet see many happy days together. God bless you, is the ardent prayer of your most affectionate

"WM. SYM."

"Send as soon as possible. I shall enclose this in a note to Mrs. Jenkins. I think it is the best way. Don't fail to be careful how you speak to me when you come, or should you have occasion to write in any other way than through my friend. God bless you. I shall feel happy (in comparison) when I hear from you. You must send me a proper direction, and perhaps it will be nearer for the man to call. He is a relation of Mr. Greenway's, though he is a poor man; treat him well."

"To Mrs. Sym, (care of Mrs. Jenkins,)
No. 4, Brunswick-street, Judd-street, New-road."

FANNY WELLARD. I was residing, in November, at Manchester. I received this letter—I believed it to come from Mr. Sym—it was addressed to Mrs. Sym—I had directed Mr. Sym to address me in that way—I had written several letters to him—(about two a week,) for about two months, till I came to London—that would be about sixteen letters that I wrote to the gaol to him, in which I mentioned all the private affairs mentioned in this letter—I came to town about a fortnight before Christmas—soon after I arrived, the prisoner called on me at Mrs. Jenkins's—he represented himself as coming from Mr. Sym, and I gave him a letter—he brought a letter as from Mr. Sym, which I have here—I wrote a letter, and

sent it by the prisoner, in which I enclosed 5*s*., and I gave the prisoner a shilling for his trouble—I had been requested almost in every letter to treat the bearer well—after that I made an appointment with him at a public-house, having, in the meantime, gone to the police-office—I went with the policeman, and saw the prisoner—I said, "Have you not received two letters with money in them?"—he said, "I do not know what was inside?"—I said, "Have you not received 1*s*. from me?"—he said, "Yes"—I said, "Have you come from Mr. Sym for a letter?"—he said, "I have, ma'am"—I said, "Policeman, I give this man in charge for getting money under false pretences."

Prisoner. *Q*. Did you not say you could not swear to me? *A*. I could not in the street, but I am sure you are the person that I gave the letter to.

Prisoner. Before the Magistrate she said that she was crying at the time, and hardly spoke to me—she did not know whether I was the person or not. *Witness*. I am sure he is the man that had the shilling from me, and the 5*s*. in the letter—this was on the 20th or 21st of December.

William Sym. I was in confinement in the House of Correction since September last—I never sent any letter to Miss Wellard, requesting her to send me any money—I received no letter from her desiring me to address her as Mrs. Sym—I have never received any letter from her, but one—I did not receive a letter from the prisoner containing 5*s*.—I never sent this letter, nor any other to Mrs. Sym—the prisoner was in the prison—he was monitor of the ward—I believe it has been his custom to give letters to the prisoners, but of that I am ignorant—(*looking at another letter*)—this is the prisoner's handwriting.

Prisoner. *Q*. How long were you in the same yard with me? *A*. About a fortnight—I had seen you write on paper, so that I can swear this is your writing—you wrote one of the forms.

George Hoare. I am principal turnkey at the House of Correction. William Sym and the prisoner were both confined there—the prisoner was monitor of the ward—on some occasions he would receive letters and distribute them to the prisoners—there is no person of the name of Greenway, an engineer, there.

Prisoner. My duty was on the stage. *Witness*. You were not always there—I cannot tell how you received letters, but you must have received some.

Prisoner. When Sym came in it was only a fortnight previous to my discharge, and these letters which have been produced must have been written previous to that, as she had been in London, and called upon him—he did not come till the beginning of November, and I was discharged on the 13th.

Joseph Holdway. I am a constable of St. Katharine's Dock. I got this certificate of the prisoner's previous conviction from Mr. Clark's office—(*read*)—I was at the trial—the prisoner is the man.

GUILTY. Aged 34.—Transported for Seven Years.

(There were two other indictments against the prisoner.)

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584. THOMAS RAVENOR and WILLIAM SKEET were indicted for stealing, on the 13th of January, 5 trusses of straw, value 7*s*. 6*d*., the goods of George West.

GEORGE WEST. I am a mason and builder, living in Cannon Street-road, St. George's-in-the-east. I have lost five trusses of straw—it was taken out of my premises on the 13th of January last—I had not seen it from the time it came into the warehouse—I cannot tell when that was—I have a man who attends to this place—I cannot speak to the identity of this straw.

MICHAEL MURPHY. I am servant to Mr. West. About five o'clock on Saturday, the 13th of January, I left the warehouse, and left 498 trusses of straw there—I locked it with a padlock—I went again on Monday morning at twenty minutes past nine o'clock—the padlock was off the door, and another one put on that I had not seen before—I went up stairs and found the loft in a different situation to what I had left it—I suspected there was some straw gone—I afterwards counted, and missed seven trusses—there was nothing about them to enable me to know them again—they were bound up like this—(*looking at one*)—they had two bands on them, but the policeman has put another on this one—I cannot speak to the straw.

GEORGE ROE. I am servant to Mrs. Perry, of the Swan public-house, Wapping. On Saturday, the 13th of January, at twenty minutes past nine o'clock, I went into the stable at the back of my premises—I heard a noise in the wharf, and went and looked, and saw four trusses of straw, and Skeet was standing by the side of them—Skeet said to Ravenor, "I shall give you 7*d.* a truss for the lot"—this was at the back of the premises, on the open wharf—I called out to know if it was *Mike* the wharfinger—(my place joins Mr. West's)—I called out, "*Mike*," and got no answer—I went and looked, and saw it was Ravenor—I then went and told Mrs. Berry, and she sent for the policeman—there were four trusses on the stones, and one on the bottom of the stairs—there was a cart backed close to the wharf—that was Skeet's cart.

HANNAH BERRY. I keep the Swan public-house at Wapping Dock-stairs. I went out with a light, and saw four trusses of straw on the wharf, and on the bottom of the stairs I saw Skeet in his cart—I did not see the other—Skeet said he came to take some straw that he understood he was to buy, out of a barge—there was no barge alongside the wharf at all—he said he expected one—I said, "Do you want this straw here? if you do you won't have it, because there is no one here to sell it you"—he said he supposed then the cart might go—I said yes, I dare say it might—I had known him before for years, but I did not suppose he had any business there at that time of night.

Cross-examined by MR. CLARKSON. *Q.* Are you married? *A.* I am a widow, and have been so several years—I am living with a man in this public-house—his name is James Scott.

GEORGE WEST *re-examined.* I went down on the Saturday-night, and found the lock had been taken off the hasp, and the bar was down—this was about a quarter past ten o'clock—I took a light, and went up stairs to go into the loft, but I found it full of straw, and did not go up—we thought that there was a man in the loft—I said, "We will lock him in"—I got another lock, and fastened him in, and waited till two o'clock, but no one came out—straw had been taken from the loft, and we traced the straw from the warehouse down to where it had been laid on the wharf—this straw is similar to it.

HENRY BROWN HOWARD (*police-constable K* 76.) I was sent for, and found

four trusses of straw on the wharf, and one on the bottom of the stairs—the men were gone—I went after Ravenor, and found him in the Ship public-house—Roe pointed him out—I called him, and said I wanted him—he said, "Me?"—I said, "Yes"—he walked out—I said I wanted him in consequence of some straw taken from Mr. West's loft—he said he had been in the tap-room of the Ship from five o'clock in the morning till that time—that was at twenty minutes to ten o'clock—he said he would bring thirty people to prove it, and he had not been on the wharf—the next morning, at half-past six o'clock, I went to Skeet's, and said it was no rather an unpleasant business, about some straw taken from Mr. West's loft—he said he was down with the cart the night before, when a man came to him at the Bull's Head public-house, and asked him if he wanted any straw; he said no—the man said a barge had been cleared out at St. John's Wharf, and there were some bundles of hack straw, and he might have it—he said he declined going, but he was pressed to go, and he ordered the men to hook the horse to the cart and go down—that he went down to the wharf, but could see no straw, it was so dark, and that Mrs. Berry came out, and asked what did he want—he said he came for some straw, and he supposed it came out of a barge, and he described the man Ravenor, on the way to the station-house, as the man who had come to him at the Bull's Head, and he identified him when he came to the station as the man who had come to him about the straw.

Mr. Clarkson. *Q.* He said it was so dark that he could not see whether they were packets or trusses, or what they were? *A.* Yes, he did.

Mr. Clarkson *called*

William Stevens. I am a butcher, residing in New Gravel-lane. I remember this evening, Saturday, the 13th of January, Ravenor came and knocked at my door, about eight o'clock, and desired me to go and look at some loose straw he had then on the wharf—I did not go, as I was tired.

William Tyson. I am a mariner. On this Saturday night, I was at the Bull public-house—Skeet was there, and another man—the waiter came in and called Skeet out—Ravenor was at the door, and he spoke to Skeet.

Ravenor's Defence. I was authorised to sell it by Michael Sullivan—he came to me at eight o'clock, at the Ship public-house, and asked me if I knew anybody who would buy some loose straw—I said I did not know—he said if I could he would pay me for it—I went to a public-house—they did not know any one—I went to Mr. Skeet, and he sent me to another man, and the man was gone away to the West Indies—I then went to Skeet's house—I saw Mrs. Skeet, who sent me to the Bull's Head—I there saw him—he said he did not want to buy it—I said the man said he should have it cheap—he said he would put the horse in the cart, and go and look at it—Mr. Stevens knew me well—I told the Magistrate that *Mike* Sullivan authorised me to sell it.

Henry Brown Howard *re-examined.* Before the Magistrate, he said it was *Mike* Collins.

RAVENOR†—GUILTY. Aged 21.—Transported for Seven Years.

SKEET—NOT GUILTY.

585. GEORGE TIMBERLAKE was indicted for stealing, on the 20th of January, 3lbs. weight of sugar, value 1*s.* 9*d.*, the goods of Mary Williams, his mistress.

MARY WILLIAMS. I am a widow, keeping a grocer's shop at No. 18, Upper Marylebone-street. The prisoner was my porter—between eleven and twelve o'clock on Saturday night, I went into the back kitchen, and found 3lbs. of what I believe was my sugar, put into the prisoner's apron, and put into a tub—I watched—he removed it from there, and put it into a barrel of ginger—I told him I had seen the sugar and could swear to it—he said he had taken it, and asked my forgiveness.

Prisoner. I lived with Mr. Parker for eleven years, and had a good character—I did not move this sugar at all—I never touched it—it was not in my apron. *Witness.* I saw him remove it.

COURT. *Q.* What time was he removing it? *A.* Between eleven and twelve o'clock—he sleeps at home, at his mother's—he would have been going home very soon after—I wish I could think that he removed it by accident.

Prisoner. I was coming up and going home, and my master called me into the shop—I had not seen the sugar when he told me of it.

NOT GUILTY.

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586. GEORGE NEWMAN was indicted for stealing, on the 24th of January, 1 copper, value 30*s.*; and 38lbs. weight of lead, value 5*s.*, the goods of James Goodbody, and then being fixed in a certain building; against the Statute, &c.

ELIZABETH GOODBODY. I am the wife of James Goodbody, of No. 6, Barnsbury-place. I went to my house in Belinda-place, on the 24th of January—the copper was safe then—I have since missed it—(*looking at one*)—it was like this one—I cannot swear to it.

THOMAS COLLINS. I am a bricklayer, and live at No. 13, Featherstone-street, City-road. I fixed this copper in the prosecutor's house.

HENRY CASTELL (*police-constable N* 184.) At a quarter before ten o'clock, on the 24th of January, I met the prisoner at the corner of High-street, Islington, with this copper and lead—I charged him with stealing it—he told me he got it from Ball's-pond, and would give me no other answer.

Prisoner. I said I got it from a man of the name of Simms, who asked me to go with it to Shoe-lane, Holborn—I was going by Ball's-pond with my knott—a man called me, and said, "Master, do you want a job?"—I said, "Yes"—he said, "If you take this, I will give you a half-crown"—he helped me up and I was going—I met the policeman, who stopped me. *Witness.* I took his shoes off, and they corresponded with the marks in the soot at the house—I have been to Ball's-pond, and cannot find a man of the name of Simms there.

GUILTY.* Aged 65.—Transported for Seven Years.

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587. THOMAS BLYTH was indicted for stealing, on the 30th of January, 1 jacket, value 18*s.*; 1 handkerchief, value 6*d.*; and 1 printed

book, value 2*d*.; the goods of Robert Speer, in a vessel in a port of entry and discharge.

ROBERT SPEER. I am an apprentice on board the *Adelaide*, which laid at the West India Docks, which is a port of entry and discharge. The prisoner came on board on Tuesday, the 30th of January—I was cooking—he was there about ten minutes—he came on board with the pretence of warming his hands—I had a handkerchief and book on the forecastle, and my jacket too—I saw them on Sunday—while I was gone aft he took the opportunity to go down to the forecastle—I and the officer saw him come up, and he went on the other side of the deck—the officer asked what he wanted there—he made no answer—the officer opened his jacket and found my jacket underneath, with this handkerchief and book—(*looking at them*)—they are mine.

Cross-examined by MR. PAYNE. *Q.* Where was the ship lying? *A.* In the West India Docks—he had his jacket slung over the right shoulder—I asked what he wanted there—he said to go to sleep—I said he could not sleep there, and he must go out—he then asked me if the master was on board—I told him no, and I told him once more to go out, but he did not offer to go, and I fetched the officer from the gate—that is seven or eight yards from the ship—the officer was in his box there—when I came back with the officer, he was just getting out of the fore-hatchway, and he had got two jackets on—the handkerchief and book were in the pocket of the jacket—I said nothing more to him than to tell him to go out of the ship—there were two lads on board—one was down in the midships and one down in the cabin—the people on board could not exactly see where he went to—he said at the office that he hoped they would think of his wife.

MR. PAYNE *called*

SAMUEL THURLOW JAMES. I am an undertaker, and sexton of Shadwell parish. I have known the prisoner personally nearly four years, and partially, on account of knowing his mother, seventeen years—he was summarily convicted of having a jacket in his possession—up to that time he bore a most irreproachable character—I have heard from his family that fourteen years ago he fell down a ship's hold, and was insensible for three days, and there are now pieces of lint and things in his head; I know he is subject to such fits of aberration, that he will sit for hours together with his head on his hand, and beat his head to get sense in it—I know Mr. Deverell, the beadle—he has been able to get a ship for him—the prisoner had engaged himself to go a long voyage, but his wife did not like him to go so far—I know he was seventeen years at sea, and when he came home he was always at home at his mother's—he worked by daily labour in the Docks, but it was precarious, and we wished him to go to sea again.

WILLIAM BLYTH. I am the prisoner's brother. I was about six years old when he sustained an injury—he was working on board one of Mr. Gale's ships, and fell down the hold, and fractured his skull—he was out of his mind for three weeks, and ever since that he has been rather singular.

NOT GUILTY.

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588. JOHN FISHER was indicted for stealing, on the 23rd of January, 1 jacket, value 8*s*., the goods of Charles Plummer, in a vessel, in a port of entry and discharge.

CHARLES PLUMMER. I am an apprentice on board the *Odessa*—she was in the port of London on the 23rd of January. I had a jacket there —I saw it on the prisoner's back—I had seen him on board our ship—he had no business there—he went on shore—I said nothing to him—other lads called, "Stop thief," and he was stopped at the gate—I saw the jacket safe in the morning, about eleven o'clock—I put it on my hammock, and he was on board about two o'clock.

Prisoner. I had not his jacket on my back. *Witness.* Yes, he had—this is it—(*looking at it*)—he pulled it off himself, and threw it into the lug boat before he went on the ice.

Prisoner. I had not the jacket on.

JOHN WHATLEY. I was on board the *Odessa*, and I saw the prisoner come to the bows of the vessel, with this jacket on—he said he wanted William Thompson—I said, "Ask the boy belonging to the vessel"—he went on shore, and the boy said he thought it was his jacket—there was a cry of "Stop thief."

JOSEPH MONTAGUE. I am an officer. I saw the prisoner getting from the lug boat on the ice, and before that he was shuffling off the jacket, and he threw it into a lug boat—I took him, and in going back there were two lug boats, and I said, "I think this is the lug boat," and he said, "No, it is this one."

Prisoner. It is false.

GUILTY. Aged 22.—Confined Three Months.

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589. ROBERT BRAY was indicted for stealing, on the 25th January, 1 copper, value 20*s.*, the goods of John Norris, and then being fixed in a building; against the Statute, &c.

SUSANNAH GORDON. I am the wife of James Gordon, of Tonbridge-street, St. Pancras. I had a copper fixed to a building—I saw it safe on Thursday night, the 25th of January, full of water, and it was gone at seven o'clock in the morning.

DANIEL MOBBS (*police-constable E* 11.) At a quarter before twelve o'clock, on the 25th of January, I saw the prisoner and another at a door in Argyle-place—they had something—I believe it was a copper—I went by the house, and the two men went up stairs, and the woman said, "These men have gone up with a copper"—I was going up—one of the men ran down—I went up, and saw the prisoner—I said, "Where is the copper?"—"Here it is," he said; "I found it in Pancras-road."

Prisoner. He came and knocked at the door, and told me to open the door. *Witness.* I did not—I was close at hand.

Prisoner. The man brought it up, and was gone down two or three minutes before you came. *Witness.* No, it was not so.

Prisoner. I went up stairs at half-past eleven o'clock.

MRS. GORDON. This belonged to my landlord, Mr. John Norris.

Prisoner. It was outside the room, on an old table.

DANIEL MOBBS. No, it was in the room, and I saw the prisoner and another take it into the house.

GUILTY. Aged 25.—Confined Six Months.

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590. ANN WILSON was indicted for stealing, on the 25th of January

1 printed book, value 1*s.* 6*d.*, the goods of William Raymond; and that she had been before convicted of felony.

WILLIAM RAYMOND. I keep a bookseller's shop, at No. 48, Ratcliff-highway. In consequence of information, I ran out on the 25th of January, and about forty yards off saw the prisoner—I asked her where she got the book she had—she said she picked it up—I told her she must go back with me, and I gave her in charge—I had missed eight books—I said, "What are you going to do with these books?"—she said, "I have but two," and I found this one on her—it had been in my window—my lad saw it safe in the morning—when I brought her back she begged me to forgive her, and said it was her first offence.

Prisoner. I did not say such a word. *Witness.* Yes she did, and she went on her knees.

Prisoner. I begged his pardon, and asked him to let me go—I picked it from under the window, and when I came back to his door it was not open. *Witness.* My door was shut.

JOSIAH CHAPLING (*police-constable H* 124.) I produce a certificate of the prisoner's former conviction, from Mr. Clark's office—(*read*)—the prisoner is the person who was then convicted.

GUILTY. Aged 53.—Confined Six Months.

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591. JAMES BAKER was indicted for stealing, on the 27th of January, 1 shirt, value 2*s.*; 3 handkerchiefs, value 2*s.* 6*d.*; and 1 pair of stockings, value 6*s.*; the goods of Daniel Dell, from the person of Mary Ann Dell.

MARY ANN DELL. I am the daughter of Daniel Dell, of No. 44, Rochester-row, Westminster. On Saturday night, the 27th of January, I was carrying a bundle to Mr. Williams, in Park-street—I was going across the top of Dacre-street, and the prisoner came and took the bundle out of my hand—I have no doubt it was him—I hallooed out, and the policeman was down the street—he ran into the policeman's arms—he took him, and showed me the bundle again.

Prisoner. It was a man that stopped me, not the policeman—I did not take the bundle. *Witness.* I am sure you took it—I saw you.

HENRY HANSFORD. I live with my father, at No. 4, Dunn-street. I was in Dacre-street, and saw this little girl, with a bundle—the prisoner came and snatched it away—I saw him do it.

Prisoner. I never had it in my possession at all.

ABRAHAM WRIGHT (*police-constable B* 99.) I heard the cry of, "Stop thief"—the prisoner ran towards me—I took him—he had nothing then, but a man brought this bundle to me—it was picked up in the direction the prisoner had run.

Prisoner. I was coming home from over the water, where I had been to my uncle's—I went down Dacre-street, when a man stopped me, and gave me to the policeman—I had not these things in my hand at all.

GUILTY. Aged 16.—Transported for Ten Years.

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592. RICHARD LOVELL was indicted for stealing, on the 28th of January, 1 handkerchief, value 4*s.*, the goods of George Morris, from his person.

GEORGE MORRIS. I live at No. 14, Little St. Andrew-street, Seven-dials. I left home on the 28th of January, at half-past twelve o'clock—I had a handkerchief in my pocket—I stood at the ice in St. James's Park—some one gave me information, and I missed my handkerchief—this is it—(*looking at it.*)

THOMAS RUDLING (*police-constable A* 18.) I was on duty, and saw the prisoner take this handkerchief from the prosecutor's pocket—I took him, and took it from him—I told the prosecutor, who owned the handkerchief.

GUILTY. Aged 11.—Transported for Ten Years.

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593. THOMAS RYAN was indicted for stealing, on the 30th of January, 1 handkerchief, value 5*s.*, the goods of Stephen Westbrook, from his person.

STEPHEN WESTBROOK. I live at Camberwell. At half-past three o'clock, on the 30th of January, I was near Wellington-street, Strand—I had a handkerchief in my pocket—I felt a tug at my pocket—I turned round, and saw the prisoner with my handkerchief in his hand—a witness saw him throw it over a fence, among some work-people, and we have not found it—I could swear to it, as it was a very particular one—several persons were near me when I felt the tug, but I turned sharp round, and saw the prisoner with it—he took a direction across the road, between the line of *cabs*—I ran, kept him in view, and cried "Stop thief."

Prisoner. Q. Did you see it in my hand? *A.* I did.

Prisoner. It is quite false—I was crossing, and heard the cry of "Stop thief," and I turned back directly. *Witness.* No, he did not turn back.

CHARLES PENDRY. I live at No. 54, George-street, Hampstead. I was coming out of the door of the English Opera-house, and saw the prisoner throw a handkerchief over the fence of some buildings there.

Prisoner. It is quite false—the gentleman said, "Come back with me," I came back, and there was no such thing there—there were a lot of tradesmen at work, who said they had not seen it—the foreman was there, and he denied any handkerchief being thrown over.

STEPHEN WESTBROOK *re-examined.* When I saw the prisoner, he had run into a house—at first he denied it, but afterwards he acknowledged it, and offered me his hat, which was better than mine, and asked me to forgive him—then a voice said, "He has thrown it over the fence," and then the prisoner said he would show me where he threw it.

Prisoner. I said, "Come back, if I threw it over, it must be there now"—he took me where the workmen were, and they said that no handkerchief had come over there.

JAMES SILVERY (*police-constable A* 63.) I took the prisoner—he confessed the theft to me.

GUILTY. Aged 18.—Confined Three Months.

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594. JOHN SULLIVAN was indicted for stealing, on the 22nd of January, 2 cushions, value 2*l.* 10*s.*, the goods of Benjamin Cruttall Pierce Seaman.

THOMAS DALE. I am coachman to Mr. Benjamin Cruttall Pierce Seaman—he lives at No. 24, Gower-street. I had some cushions—I left them safe in the coach-house about the middle of the day on Sunday, and on Monday

they were gone—that was on the 22nd of January—the coach-house was fastened with a hasp inside.

JOSEPH CLEMENTS (*police-constable E* 102.) On Monday morning, the 22nd of January, a little before one o'clock, I met the prisoner with these cushions under his arm—he said they belonged to his master, and that he drove a *cab*.

Prisoner. I was going down Newman-passage, at half-past twelve o'clock that Sunday night, and these laid against the wall—I took them up, and in going home the officer met me and took me with them.

GUILTY. Aged 20.—Transported for Seven Years.

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595. JANE JOHNSON was indicted for stealing, on the 20th of January, 5lbs. weight of beef, value 2*s*. 6*d*., the goods of Francis Chalkley and another.

WILLIAM FRANCIS CHALKLEY. I am the son of Francis Chalkley; he has one partner, and lives at No. 127, Whitecross-street, and is a butcher. On the 20th of January I was in the shop, and saw the prisoner pass by, take up a piece of beef, and make off with it—I ran after her—she dropped it from under her cloak, and the policeman took her.

Prisoner. I was tipsy at the time, and had no cloak on. *Witness*. I did not notice it—she had a large shawl on.

THOMAS MALING (*police-constable G* 15.) I took her in charge, she was not tipsy.

GUILTY.* Aged 30.—Confined Three Months.

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596. FREDERICK MASON was indicted for stealing, on the 24th of January, 1 cloak, value 1*l*.; 1 coat, value 15*s*.; and 3 frocks, value 5*s*.; the goods of William Jenkinson.

MARY JENKINSON. I am the wife of William Jenkinson, and live at No. 24, Charles-street, Hatton-garden—I keep a circulating library. On Wednesday evening, the 24th of January, the prisoner came to the shop with his arm in a sling, and asked me if I would go to his mother, and tell her he was walking the streets, and had nothing to eat; and to come and speak to him at my place—his mother lives in Kirby-street—I knew him by coming to my place—I went to his mother, and told her—she said she would come directly—when I went out I left my cloak and the frocks on the chair, and my husband's coat on the bed—when I came back the prisoner was gone, and my little boy said something to me—I looked about and missed these things—they were all gone—these are all mine—(*looking at them.*)

ROBERT MITCHELL. I am shopman to Mr. Lawson, of No. 8, North-place, Gray's Inn-lane, a pawnbroker. I produce the cloak, coat, and three frocks, which were pledged by the prisoner on Wednesday evening, the 24th of January, between seven and eight o'clock.

JOHN DAVIES WHITE (*police-constable G* 46.) I took the prisoner on Thursday morning, between one and two o'clock—he gave me the duplicate directly—this is the sling he had round his arm.

Prisoner. He said if I gave up the duplicate, he would go and compromise the matter. *Witness*. No, I did not; he desired me to go and tell his mother to make it up.

Prisoner. I pleaded guilty before the Magistrate—I have declined to bring any one to speak to my character, as it would be hurtful to their feel-

ings—I throw myself on the mercy of the Court—I have been in great distress, and was in liquor at the time.

GUILTY. Aged 26.—Confined Six Months.

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597. THOMAS BRANNEN was indicted for a misdemeanor.

DENNIS CRONIN. I am a surgeon. Mr. Campbell supplied me with wine—on the 17th of November, I remember the prisoner calling on me with a message from Mr. Campbell, the wine-merchant, in Mark-lane—he told me Mr. Campbell would be obliged by my letting him have half-a-dozen bottles—I said certainly, he might have as many as he wanted—in consequence of that, I called my servant, and desired her to let him have what he wanted; and I said, "Give my compliments to Mr. Campbell, and tell him I will pay him his bill in a short time."

Prisoner. I did not tell him I came from anybody. *Witness.* Yes, he did, and he came the next morning and said Mr. Campbell would feel obliged by my letting him have a few more, which I also let him have.

MATILDA SOPHIA STEWART. I received directions from my master, and gave the prisoner two dozen bottles and three—the next day I let him have a dozen and three more, after he saw my master.

PETER FREDERICK AUGUSTUS CAMPBELL. I am a wine-merchant in Mark-lane. The prisoner left me two years ago—I did not direct him in November to go to Mr. Cronin—I received no bottles from him.

Prisoner. I did not ask for the bottles in Mr. Campbell's name—the servant told me she was glad to get rid of them.

GUILTY.* Aged 21.—Transported for Seven Years.

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598. EDWARD WOOD was indicted for obtaining money under false pretences; to which he pleaded

GUILTY. Aged 43.—Confined One Year.

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599. THOMAS MURTON was indicted for stealing, on the 11th of December, 3 handkerchiefs, value 5*s.*, the goods of Thomas Winstead Green.

THOMAS WINSTEAD GREEN. I live at No. 38, Judd-street, and am a linen-draper. The prisoner formerly lived with me as light porter—he left me about four months ago—about the 11th of December I missed three handkerchiefs from the kitchen, not from my stock—I got a constable, and went to Mrs. Evans's, where the prisoner had been lodging, and there saw one of them—this is it—the mark has been picked out—here is the remainder of it, but I can swear to it—I have worn it three months.

Cross-examined by MR. PAYNE. *Q.* What were the initials? *A.* The letter G—nothing else—I saw part of the mark remaining in one corner—I got it from Mrs. Evans, who keeps a beer shop in Speldhurst-street, where the prisoner used to lodge—my Christian names are Thomas Winstead.

COURT. *Q.* Was there another handkerchief found? *A.* Yes, this is it—it is mine—I do not see a mark—but I have no difficulty in swearing to it.

MR. PAYNE. *Q.* Is this the only one of that pattern in London? *A.* I never saw many—I have worn this one—they print seven in one piece—I

do not know how many pieces they make—there may be thousands of this sort.

ELIZABETH EVANS. I am the wife of Henry Evans, and live at No. 3, Speldhurst-street. This handkerchief was found at my house—I got it from the prisoner—he was with another—both of them pulled their handkerchiefs off, saying, one was better than the other, and the other young man *chucked* the handkerchief from the prisoner to me, and my husband kept it in part of 2*l.* that the prisoner owes me—I saw the prisoner take this one off his neck—if the officer will swear it is the one my husband gave to him in my presence—my husband is not here.

CHARLES REYNOLDS. I live at No. 22, Vine-street, Spitalfields. I bought this other handkerchief of the prisoner, and gave it to the officer.

Cross-examined. *Q.* Are you quite sure you had it of the prisoner? *A.* Yes, I gave 1*s.* for it, and a pint of half-and-half.

NOT GUILTY.

First Jury, before Mr. Sergeant Arabin.

600. ROBERT NYE was indicted for stealing, on the 21st of January, 1 handkerchief, value 1*s.*, the goods of Henry Eustace James, from his person; and that he had been before convicted of felony.

HENRY COCKING. I am a tailor. On Sunday morning, the 21st of January, I was in company with Mr. James, in High-street, Marylebone—I felt a tug, and turned and found the prisoner close at my heels, and between his legs, lying at my heels, was my handkerchief—I picked it up, and at that time my friend said he had lost his—when the policeman came up he searched him, and found my friend's handkerchief on him—while the policeman had hold of his left arm, I saw my friend's handkerchief in the breast of his coat—the prisoner had Mr. James's handkerchief—this is mine.

HENRY EUSTACE JAMES. I was in company with Mr. James Cocking—I have heard what he has stated—he has told it correctly—I saw my handkerchief on the prisoner, in his breast, and before that it had been safe in my pocket—we had been walking arm-in-arm till we came to the spot, and then we left each other's arms, but were close together—this is my handkerchief.

JOHN GRIFFITHS (*police-constable D* 146.) I was on duty in High-street, and heard the cry of "Police"—I ran up, and saw Mr. Cocking holding the prisoner by the shoulder, and he had this handkerchief in his hand—at that moment Mr. James said, "I have lost mine, perhaps he has got mine"—the prisoner said, "So help me God, I have not," and he put his hand to his breast, and this handkerchief fell down.

SYLVESTER SULLIVAN (*police-constable D* 194.) I have the certificate of the prisoner's former conviction from Mr. Clark's office—(*read*)—I was present at that trial—the prisoner is the same person.

GUILTY. Aged 21.—Transported for Ten Years.

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601. RICHARD PETTIFER was indicted for stealing, on the 26th of January, 1 table-cloth, value 3*s.* 6*d.*, the goods of James Pegram.

JAMES PEGRAM. I am a carpenter, and live in London-fields, Hackney. At half-past eight o'clock, on the evening of the 26th of January, I was sit-

ting in my father's kitchen—from information I received from him I ran out, and found the prisoner, who was going under a lamp—he had something under his smock-frock—I brought him back, and took the table-cloth from under his smock—this is the table-cloth—it had been hanging in the back yard, surrounded by a five feet wall—he must have got over the wall—I do not know him at all.

JANE PEGRAM. I am the wife of James Pegram. The last witness is my son—this table-cloth belongs to my husband—it was in the yard—the kitchen door led to the yard—I went to take in some things—I took in some, and left out the table-cloth, about five minutes before half-past eight o'clock—it hung on some pantile laths—he took the lath and all over.

EDWARD MAY. I am a policeman. I took the prisoner.

Prisoner's Defence. I was going by, and had occasion to go down the turning—I saw something lying, I took it up, it was this—I walked up the street—I offered no resistance when I was taken—I have not had power to send to my friends.

GUILTY. Aged 36.—Confined Three Months.

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602. GEORGE NICHOLLS was indicted for stealing, on the 27th of December, 1 truck, value 3*l.*, the goods of William Boxall.

WILLIAM BOXALL. I live at No. 24, Nelson-place, Circus-street, New-road, and let trucks. On the 27th of December, the prisoner and another person came to me to hire a truck—the prisoner told me his name was Nicholls, and he lived at No. 91, Crawford-street—he asked what I charged for the truck—I said 3*d.* an hour—he said he was going to move a bedstead to Grosvenor-place, and should want it about two hours—this was about ten minutes before three o'clock in the afternoon, on a Wednesday—he took it away, and he never came back—I expected it to be returned in two hours, or two hours and a half—I afterwards saw the springs, axle-tree, and some other parts—it had been pulled to pieces—the person is here in whose possession it was found—I knew it directly—I found it on Friday, the 29th—we did not find the prisoner till last Monday week—I went to No. 91, Crawford-street, but he was not to be found there—I understood he was in the habit of going from his mother's, who lives there, to Westminster—I saw him again on the 22nd of January, I believe—that was nearly a month after it was lost—I and the officer went up stairs—the officer was in before me—I heard him say, "You are the man I want"—I followed him, and the officer said, "Is this the man?"—I said yes, it was—the prisoner said, "Don't be in a hurry, I want to speak to my mother"—his mother came in with a candle, and then the prisoner turned to me and said, "What is the value of the truck?"—I said, "I cannot tell, you are now in the officer's hands, and must go to the station-house"—I have not found the rest of my truck—not the wheels, nor the body.

Prisoner. *Q.* What time did I hire it? *A.* Ten minutes before three o'clock—you said it was for two hours, or about two hours—I cannot tell whether you live in Crawford-street.

GEORGE MILLS. I accompanied the prisoner for the truck—I was in Mr Collingwood's public-house—the prisoner said he was *hard up*, he had got a job, and did not know where to get a truck—I said I knew where he could get one—he said he would stand a drop of gin—I

took him to Mr. Boxall, and spoke for the truck—he said he should want it for two hours, to remove a bedstead to Grosvenor-place—I dragged the truck to the Yorkshire Stingo, and there we had the gin—I left him, and he went on with the truck towards Bayswater.

Prisoner. *Q.* Was it to move or fetch a bedstead? *A.* To move one, you said.

Prisoner. *Q.* How often have you been in custody? *A.* Never.

WILLIAM BALLARD. I go to country fairs to bring home horses, and live at No. 32, Duck-lane. On Wednesday evening, the 27th of December, I met the prisoner and another young man in the Broadway, between Mr. Horne's and Mr. Manley's—the person that was with the prisoner said, "Here is a young man will buy your springs and axletree"—I asked him what sort they were—the prisoner said they came off a little green grocer's cart—I asked if they were his own—he replied, "Yes"—with that we went to Mr. Whipon's, and had some beer—we proceeded to York-place, and went to a little shed—he asked Mrs. Burt to bring a light, and we looked at them—I asked what he wanted—he said 12*s.*—I said they were not worth that of my money, and I offered him 8*s.*—he hesitated, and then agreed to take it—I left him 1*s.* on it, and went and pawned the coat I have on, got the money and paid him, and on Friday I took them to Smithfield to sell them—Mr. Boxall came and owned them—I was taken, and committed for re-examination—I was then liberated, and was afterwards fetched from my house to see the prisoner, whom Mr. Boxall had taken into custody.

JOHN NASH, (*police-constable D* 129.) I took the prisoner on the 22nd—I went with the prosecutor to No. 91, Crawford-street—I sent a person to knock at the door—I waited half an hour, and then saw the door open—I went up stairs to the front attic—the door was locked—I found the key outside—I went in, and the prisoner was sitting smoking his pipe—I said, "I want you"—he said, "What for?"—I said, "For the truck"—he said, "Stop a bit"—his mother came up, and he wanted to make it up—they wanted to know the price of it—I said I could not allow any thing of the kind.

Prisoner. State the precise words. *Witness.* Your mother wanted to know what it was, and you asked several times what it was.

Prisoner's Defence. An article hired for the purpose of going from one place to another does not amount to felony, if disposed of on the road—the hiring being from Paddington to Grosvenor-place, and the sale being on the road, would be a breach of trust, not a felony.

GUILTY. Aged 35.—Transported for Seven Years.

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603. JAMES WILSON was indicted for stealing, on the 24th of January, 43lbs. weight of beef, value 1*l.* 5*s.*, the property of Walter Hughes.

WALTER HUGHES. I am a butcher, and live at No. 13, Chapple-street, May-fair. This happened on the 24th of January—I only know that I missed this beef, and then the prisoner was brought in—there are 43½lbs.—it was on the front board of the shop—it was in doors, but the shutters being down, it was exposed, though not outside.

CHARLES STEWART. I am a saddler and harness maker. On the 24th of January I was in my shop, which is nearly opposite the prosecutor's, and

saw three men standing at a tallow-chandler's opposite my shop—it struck me that they were going to sing; in less than a minute I raised up my head from my work, and saw the three people at the prosecutor's, and one of them had got the beef—he put it on the prisoner's shoulder, and another had got an old piece of wrapper to cover it—they went a few yards, and the wind blew the cover up—they put it down again—I went to the prosecutor's, and while I did that, the other two ran away—I then called, "Stop thief," and the prisoner dropped the beef—Mr. Hughes's son followed the prisoner, and took him—I am sure he is the man.

Prisoner. *Q.* Where was I? *A.* In Chapple-street West, when you were taken.

Q. How was it possible for you to see round the corner? *A.* I did not say I did.

GEORGE HUGHES. I heard Mr. Stewart cry, "Stop thief"—I ran, and saw the prisoner turn down Chesterfield-street—I pursued him round Hill-street, and a butcher stopped him at the corner of Hay-street—he went on his knees, and said he hoped we would not take him—he was half starved.

Prisoner's Defence. I was walking down the street—two men ran past me; and a butcher's man ran and collared me—when the last witness came they took me to the shop and charged me with the meat, which I knew nothing of.

GUILTY. Aged 19.—Confined Three Months.

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604. MARY DAVIES was indicted for stealing, on the 26th of January, 1 pair of boots, value 7*s.*, the goods of John Howard.

JAMES VALENTINE. I am foreman to John Howard, who lives at No. 130, Tottenham-court-road—he is a shoemaker. On the 26th of January the prisoner came into the shop—I was engaged at the window, and heard a noise in the corner—I looked, and missed a pair of boots—I saw the prisoner going away—she had got out about three or four yards—I went, and said, "What have you got?"—she said, "Nothing; I was looking at a pair of shoes"—I carried her back, and she dropped these boots—I had seen her on the Tuesday before, and then I missed a pair.

Prisoner. I put them down before you, when you abused me, and said you knew I had been at the shop before, which I had not. *Witness.* A person came in and offered to pay for these; and I should have let her go, but the shopwoman came down, and said she recollected her being there before—these are my master's boots.

GUILTY. Aged 37.—Transported for Seven Years.

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605. MARY DAVIES was *again* indicted for stealing, on the 26th of January, 7 pairs of boots, value 21*s.*, the goods of Ralph Wilcoxon; and 1 plane, value 3*s.*, the goods of Mary Ann Moore.

SAMUEL WILLS. I live with Mr. Ralph Wilcoxon—he is a shoemaker in Tottenham-court-road. We missed this bundle of boots on the 26th of January—we did not see who took them, but they are my master's, and were lost on Friday evening—they were in the shop, just at the door—these were found at the prisoner's lodgings.

JOHN HEALEY (*police-constable E* 93.) The prisoner was given into my charge on Friday evening at a quarter past five o'clock—I asked her her

residence—she would not tell me, but she gave one address which I found was not right—the next morning she said she lived at No. 15, Broad-street—I went there, and that was false; but there I found a duplicate, and from that address I went to No. 2, Crown-street, and found she went by the name of Douglas—I found these shoes there—her husband was at home, and said his name was Douglas.

Prisoner. He is lying ill of a fever—I have five children, but am not married.

COURT. *Q.* Did you hear from her that she lived there? *A.* No, not to me she has not admitted it—I found some meat and other property there which the man could not account for.

NOT GUILTY.

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606. SAMUEL COOK was indicted for stealing, on the 26th of January, 1 till, value, 2*s.* 6*d.*; 1 half-crown, 1 penny, 31 halfpence, and 102 farthings, the goods and monies of James Henderson.

EDWARD DENNINS. I live at No. 20, Kingsgate-street, Holborn. About half-past eight o'clock on the evening of the 26th of January, I was going into the prosecutor's shop for three quartern loaves—I had got in, and the prisoner came running past me with the till under his arm—he ran out—I followed him all down Devonshire-street—he put the till down at the corner of East-street, and ran off—I took the till, and ran after him—I saw him taken by a policeman—he is the same boy.

JAMES HENDERSON. I am the master of the shop. This till is mine—it was kept under the counter—I was out at this time—it contained one half-crown, one penny, thirty-one halfpence, and a hundred and two farthings, when it was found—there might have been a little more.

JONATHAN WHICHER (*police-sergeant E* 47.) I took the prisoner in charge.

Prisoner's Defence. I was going to look after work, and could get none—I was going along, and heard the cry of "Stop thief," and I looked to see who it was—a butcher boy came and caught hold of me, and they said I had stolen the till, but I had not.

GUILTY. Aged 12.—Transported for Seven Years to the Prison Ship.

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607. JAMES BAYLIS was indicted for stealing, on the 5th of December, 2 gig-lamps, value 30*s.*, the goods of Joseph Henry Hembery.

JOHN WOODLAND. I am servant to Mr. Joseph Henry Hembury, who lives at No. 2, Bedford-street, Bedford-square—his stables are in Tavistock-mews. On the 5th of December I missed two lamps—Dr. Arnold had part of the stables—my master's gig was in the coach-house—I saw it last about nine o'clock in the morning—the lamps were locked up in a place separated from the coach-house—I missed the lamps in the evening—I had left it locked at one o'clock, and found it ajar at seven o'clock in the evening—there did not seem to be any mark of violence on the lock—it must have been picked—the lamps were gone—I had seen them at nine o'clock in the morning—I saw the prisoner at one o'clock in the stable helping Dr. Arnold's coachman.

Cross-examined by MR. DOANE. *Q.* You locked them up at nine o'clock in the morning? *A.* Yes, and I saw the place was locked at one o'clock—I did not see the lamps then—there are a pair of folding-doors, which were fastened inside, and no one could get there without going in the door that I went in at—the lamps were bought, I believe, with

the gig—I saw them on a *cab* after I lost them—I think they would do for a chariot or any sort of carriage—there is nothing on them to say that they are gig-lamps—they are carriage-lamps—I am not much of a judge—I should not know a coach-lamp from a gig-lamp.

FRANCIS WATTS. I live in the Hampstead-road, No. 15, William-street. I was at a public-house in Cumberland-market, about six weeks ago—the prisoner came and brought in a pair of lamps—I believe these are them—he asked me if I wanted to buy a pair of lamps—I said I did not, but my brother-in-law did—I saw him sell them to James Kirkup—I had known the prisoner five or six years.

Cross-examined. *Q.* Had he not an honest character? *A.* Yes, he was always a very honest, sober man—I saw him in this house about the middle of the day.

ROBERT BRIDDLE. I was in Oxford-street one day with my *cab*, and Kirkup told me of these lamps—they were at Cumberland-market—I went and looked at them two or three days after—I put a job down there, and called and looked at them—these are the lamps—I bought them of him.

STEPHEN THORNTON (*police-constable E* 53.) I accompanied Mr. Hembury to Mr. Briddle's, and from him to the public-house, and to the prisoner—who said he bought them in Tottenham-court-road, of a man whom he did not know, at the corner of Windmill-street, and said he gave him half a crown for them.

JAMES KIRKUP. I am a coachman. I bought these lamps of the prisoner—I have known him five or six years—he was ostler to my father—I gave him 3*s.* 6*d.* for them, and spent sixpence—I told Briddle of this—they are not worth above 6*s.*

JOSEPH HENRY HEMBURY. I am the owner of these lamps. I was present after the prisoner was taken, and he said he bought them in Tottenham-court-road, of a man he did not know before, but he thought he should know him again—the prisoner identified the lamps to be the same that he bought of the man, and stated that he worked for Dr. Arnold's coachman.

(The prisoner received a good character.)

GUILTY. Aged 26.—*Recommended to mercy by the Jury.*—Confined Three Months.

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608. WILLIAM WHEELER was indicted for an assault, with intent to ravish.

GUILTY. Aged 26.—Confined Twelve Months.

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609. EDWARD LASHBROOK was indicted for stealing, on the 26th of January, 1 basket, value 1*s.*; and 75 dead herrings, value 4*s.*; the goods of Charles Wood, his master; to which he pleaded

GUILTY. Confined Three Months.

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610. GEORGE HEATH was indicted for stealing, on the 23rd of December, 1 shilling, the monies of Daniel Desormeaux, his master; to which he pleaded

GUILTY.

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611. GEORGE HEATH was *again* indicted for stealing, on the 24th of January, 1 shilling, and 4 pence, the monies of Daniel Desormeaux, his master; to which he pleaded

GUILTY.

612. GEORGE HEATH was *again* indicted for stealing, on the 25th of January, 1 shilling and 1 penny; the monies of Daniel Desormeaux, his master; to which he pleaded

GUILTY.

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613. GEORGE HEATH was *again* indicted for stealing, on the 16th of December, 1 shilling, the monies of Daniel Desormeaux, his master; to which he pleaded

GUILTY. Aged .—Transported for Seven Years.

OLD COURT.—*Saturday, February 3rd*, 1838.

Second Jury, before Mr. Common Sergeant.

614. CHARLES COLLIS was indicted for stealing, on the 17th of August, at St. John the Evangelist, Westminster, 39 sovereigns, and 6 half-sovereigns, the monies of Catherine Hayward, in her dwelling-house.

CATHERINE HAYWARD. I live in Old Pye-street, Westminster. The prisoner lodged in my house about eight months, and left in August, 1836, when I was going for some vegetables, and asked him to mind the place while I went—he said he would—that was about eight o'clock in the evening—I returned in a quarter of an hour, and he was gone, and the dog was gone, which I had left chained to the bed, close to my box—the dog was loosened from the chain, and put out of doors—the doors of the house were on the latch, and my box was broken open—an iron bar laid by the side of it, which it had been done with, and my money was gone—I lost thirty-two sovereigns and six half-sovereigns—I did not see the prisoner again till he was in custody this year.

Prisoner. *Q.* Three or four months previous to the time you say you were robbed, did not you lodge some money in the Bank? *A.* Never.

JANE BRADY. I am the wife of Edward Brady, and live in George-street. The prosecutrix came to me about half-past eight o'clock in the evening she was robbed, crying—I live not far from her—I had seen the prisoner that evening, about ten minutes after eight o'clock, run past my door—I said, "Charles, what are you running for?"—he said, "Let me go," and presently Mrs. Hayward came up.

JAMES FINCH. I live at No. 37, Old Pye-street. I remember the evening the prosecutrix was robbed, but I did not know any thing of it till the day after, when she told me of it—I saw the prisoner coming down St. Ann's-lane one evening, eighteen months afterwards, and I said, "Halloo, Charley!"—he said, "Halloo, *Bill!* for God's sake do not betray me, for I am in your hands"—I had heard of the robbery before that—I am Mrs. Hayward's son—I said, "I heard you were gone to Liverpool"—he said, "I went to Bristol"—I asked where he lived then—he said, "In St. Giles's"—a man and woman came up the street, and he went into a corner to make water—the woman hallooed out to the man, "Come on, George"—he thought she was speaking to him, and he spoke to her—he took hold of my hands, and said, "Good bye!" and ran into Davis's house, saying he was going to see his brother—I went home, and told my mother, and he was taken into custody by Pike.

Prisoner. *Q.* Were you not tried about fourteen months ago in this

Court, for stealing a handkerchief? *A.* Yes, but I was acquitted—I was in the House of Correction once, but only for begging.

WILLIAM PIKE. I am a policeman. I went after the prisoner, and took him into custody—he resisted violently—it took three of us to take him to the station-house.

Prisoner. Q. Was I sober? *A.* You were the worse for liquor.

Prisoner's Defence. On the evening Mrs. Hayward was robbed, she asked me to mind her place—I said I would stop if she was not long; but she stopped longer than I thought she would.

MRS. HAYWARD *re-examined. Q.* Did he say he would stop, if you did not stop too long? *A.* He said he would stop till I came in.

Prisoner. I told her I would stop if she was not long—she did not come, and I fastened up the room door, and the hall door, and put the outside door on the latch, that she might open it—I slept at Hammersmith that night—I get my living by recitations at public houses, and generally go down in the summer into the country.

Witness. He had lodged with me about eight months—he had given me no notice to quit.

Prisoner. I was only paying my lodging by the night, and could go away at any time.

Witness. He owed me 1*s.* 8½*d.* when he left.

GUILTY. Aged 30.—Transported for Ten Years.

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615. JAMES RICHARDS was indicted for stealing, on the 28th of January, at St. George, Bloomsbury, 1 watch, value 12*l.*; 1 watch-guard, value 10*s.*; 1 watch-key, value 8*s.*; 1 ring, value 4*s.*; the goods of Robert Kemp Foxall: 1 guard-chain, value 4*l.*; 1 brooch, value 3*l.*; 1 ring, value 1*l.*; the goods of Harriet Foxall: 1 brooch, value 2*l.*; and 1 pair of ear-rings, value 2*l.*; the goods of Mary Ann Susannah Foxall; in the dwelling-house of Charles Foxall: and CHARLES GREEN, for feloniously receiving the said goods, well knowing them to be stolen.

ROBERT KEMP FOXALL. My father keeps the Crown tavern, in Museum-street, Bloomsbury. On the 28th of January the prisoner Richards came to lodge at our house, and I let him sleep with me—I saw him in bed between one and two o'clock—I got up first, about two o'clock in the afternoon—I always lie in bed very long on Sunday, as I rise at four o'clock every other morning—I left the prisoner in bed, and I told him he had better get up as the girl would want to make the bed—I went down stairs—he came down after. me, and I saw no more of him that day—the gold watch and other things were in my sister's room, and she missed them—this is my watch—(*looking at the property*)—the chain is my sister's, and this silver guard and gold ring I know—the key and gold chain is not here—my father's name is Charles Foxall.

HARRIET FOXALL. I am the sister of the last witness. I had a gold chain, a brooch, and ring, which were safe in my dressing-room at three o'clock—my room is opposite the one the prisoner slept in—I missed them about an hour after, when I went up to dress.

MARY ANN SUSANNAH FOXALL. I know these ear-rings, brooch, and tortoisehell box—they are mine—I saw them safe on Sunday about half-past one or two o'clock—I missed them soon after my sister missed her things.

WILLIAM HENRY WARRE. I am a pawnbroker, and live in Skinner-

street. The watch which has been produced I gave to the officer—I stopped the prisoner Green on Monday the 29th, when he came to pawn it—he said it belonged to himself, and that he had worked hard for it, that he had been in business with his brother, and he had lived with Cook and Shoolbred, in Tottenham-court-road, but at present he was out of employment—he said he bought the watch of the maker—the name of Cox and Savory is in it.

WILLIAM M'LENNAN (*City police-constable No.* 4.) I was sent for by Mr. Warre, who gave me the watch—I took Green to the watch-house, and left him in charge—I went to the Crown tavern, and produced the watch to the prosecutor—I then returned and searched Green, and on his person I found all the articles I have produced; and, among other things, five duplicates, one of them for a silver guard belonging to the prosecutor, but the pawnbroker who has it has not come.

Green. Q. After you took me to the watch-house did not I tell you where I lived, and where you might probably apprehend the other prisoner? *A.* You did—he told me all he knew relating to the property—he said that Richards was an acquaintance of his, and out of employment at the time that he gave him part of his dinner—that he met him that day, and told him he had found the articles in a water-closet in a house he lodged at, wrapped in paper, and wanted him to dispose of them, as his appearance was more respectable than his—I went that evening and took Richards at the Globe tavern, London-street, Tottenham-court-road.

Richards's Defence. Utter distress, and being out of employment a long time, urged me to commit the offence.

Green's Defence. I lived at the Globe Tavern, in London-street, as waiter or potboy. Richards came there for the last three weeks, at times, and stated he was out of employment, and had not the means of sustenance—I took pity on him, and at times gave him money to procure a lodging, and at other times he partook of my meals—last Monday I had to go out, and stated it to Richards—he asked if he should accompany me, and while out, he presented me with a parcel containing a gold watch, and these trinkets, and requested me to pawn a silver guard-chain, which I did, in Amwell-street, for 10*s.*, which I gave him, but forgot to give him the duplicate—afterwards he requested me to pawn a gold watch—I asked him how he came by it, and if he found it in the water-closet, as he had said, why not pawn it himself—he said I was much more respectable in appearance, and in all probability should get more on it, and he should get more money to put clothes on his back, to get employment—I was ready to do him service, and I went into the pawnbroker's, and offered the watch—I was asked if it belonged to myself—he had told me before to say that it did belong to me, as the pawnbroker would refuse to take it in if I said otherwise—I said it was mine, and was taken into custody—I then told the policeman all I knew.

RICHARDS—GUILTY. Aged 19. } *Recommended to mercy.*—
GREEN—GUILTY. Aged 21. } Confined One Year.

Third Jury, before Mr. Recorder.

616. THOMAS HICKLING and WILLIAM LINDWOLD were indicted for feloniously breaking and entering the dwelling-house of

Ezekiel John Baker, at St. Mary Matfelon, *alias* Whitechapel, on the 25th of January, with intent to steal, and stealing therein, 11 pistols, value 40*l.*; and 8 guns, value 90*l.*; his goods: and SARAH THATCHER, SOPHIA THATCHER, and THOMAS REED for feloniously receiving 11 pistols, part of the said goods, well knowing them to have been stolen; to which

HICKLING pleaded GUILTY. Aged 39.
LINDWOLD pleaded GUILTY. Aged 63.
} Transported for Ten Years.

JOHN TILL. I am shopman to Ezekiel John Baker, who lives in Whitechapel-road, in the parish of St. Mary, Whitechapel. I fastened up the house on Thursday night, the 25th of January, and on Friday morning, the 26th, between eight and nine o'clock, I missed eight guns and eleven pistols, out of glass cases—there were no marks of violence about the place, but I was not the first who entered the counting-house—I had left at five minutes to eight o'clock the evening before, and the guns and pistols were then safe in the counting-house, which is in a yard enclosed with the dwelling-house—it joins the dwelling-house—there is a dining-room over the front shop—you pass through to the back shop, without going into the open air—it is part of the house, and joins the dwelling-house.

Q. Are there rooms over it, which are dwelt in? *A.* Yes, there are, and it communicates internally with the rooms of the house—I left at five minutes to eight o'clock, on Thursday, the 25th, and missed the guns and pistols next morning.

Q. In consequence of directions from your master, did you get an officer? *A.* In going for an officer, I saw Hickling in company with one or two more—they parted, and I followed him to Fleur-de-lis-court, Spitalfields—I went then for an officer, and Hickling's brother and himself, and one or two more, came out of the house in Fleur-de-lis-court—we went into the house, and found eight guns there—I had seen Hickling go into that house, and come out—I went for an officer after finding the guns, and took the prisoner Hickling in Wheeler-street.

WILLIAM COLEMAN (*police-constable H* 2.) I was passing through Spitalfields-market on Friday morning, the 26th of January—I went to Fleur-de-lis-court, and saw the witness Till—I went to a house, No. 4, Reeve's-place, and searched it, and in an up-stairs room I found a bed and mattrass, covered over with packing-mat, and tied very carefully with packing cord—I found in the mattrass eight guns, which I now produce.

Q. Did you see either of the prisoners, charged as accessaries, at that house? *A.* No.

JAMES LEA. I am an officer of Lambeth-street-office. I put some questions to the two Thatchers in consequence of what Hickling told me, and they denied the charge—when I apprehended Lindwold, the prisoner Sarah Thatcher came into the room—she passed as Lindwold's wife then—I asked her if she knew any thing about the pistols—she denied it—I afterwards went to the prisoner Sophia Thatcher, and asked her if Sarah had left any pistols there—she denied that she had—I found no property in the possession of either of the Thatcher's, nor of Reed.

THOMAS CUMMINS (*police-sergeant H* 5.) I went to No. 8, Morgan-street, on Sunday, the 28th of January, and saw the two female prisoners—I said I understood they had the pistols in their possession—they said they had not—I asked if they knew where they were—they said not—I asked if they knew where the prisoner Reed lived—they said they did not,

and were quite sure he knew nothing about the pistols—on Sunday night I went to Reed's lodging, and asked him if he was aware of the robbery at Mr. Baker's—he said he was—I asked if he had any pistols in his possession—he said he had not—I said, "Did not you take them away from Morgan-street?"—he said he did not—I searched his premises, but did not find them there.

WILLIAM WRIGHT. I live in Hennage-street, Brick-lane. I saw the prisoner Reed on Friday night, the 26th of January—I never saw him before—I saw him then in Morgan-street—he came to No. 8, and beckoned a little girl out—the girl came with a light, and went into the next door—having heard something was missed, I followed them into the next house, out of curiosity—they went into No. 6—I went up stairs into the room where they were, and saw Reed take the pistols away with him.

Q. Who gave them to him? *A.* Mrs. Thatcher was in the room with him, and she gave them to him—he came down stairs, and went away, and I did not see any more of him.

Q. Was any thing said while you were there? *A.* There was nothing said at the time, not till after Reed had gone away—Mrs. Thatcher then said she wished Mr. Baker to have the property back again—I went away then—I should know the pistols again if I saw them—there was one bigger than all the rest—(*looking at them*)—I believe this to be the one I saw—I am certain of it—here is a mark on it which I took notice of.

Q. How came they to let you in to see what was about? *A.* I followed them in—they did not ask me to go in—I was not a stranger to them, as I knew the sister, who lived next door—in fact, I did not intend to give information—they took no particular notice of my being there—I worked next door.

Q. Did they talk of Mr. Baker in your presence, and never say, "What do you do here?" *A.* No—they took no notice of me, only when Reed went down he said, "Is there any body there? is it all clear?"—the conversation was not till after Reed had gone away—I was a stranger to these three, but was not strange to the sister of Thatcher—after Reed went away the women came in from next door, and they talked about destroying the property—I said they had better send it back to Mr. Baker, or whoever it belonged to.

Q. They knew you to be a respectable man? *A.* They did not know any thing against me—they had seen me before, coming backwards and forwards, but not till lately.

Cross-examined by MR. PAYNE. Q. Who are you, and what are you? *A.* I am a box-maker—I carry on my business at No. 5, Hennage-street—I went to Morgan-street to teach a little girl to make light boxes—I was a stranger to Reed—I never saw him before, not till the time I speak of—I took up this pistol, looked at it, and put it down again.

COURT. Q. Did they know you as a thief, or what, that you were so much at home there? *A.* They knew nothing against me—I was not acquainted with them, but I knew the sister who lives next door—I took particular notice of this pistol, and of the finishing of the mark here—I am not a particular judge of pistols.

MR. PAYNE. Q. Are you a master box-maker? *A.* Yes—I do not keep any workmen, as trade is so slack—I have been in a very good way of business, and worked for a number of respectable gentlemen in the City—I do not keep a house—I lodge in Hennage-street.

COURT. *Q.* How long have you lost your business? *A.* It is not gone—I serve several respectable people in St. Paul's Church-yard—Mr. Jones, Mr. Hall, and Mr. Hoare, the milliners—Mr. Jones would come directly, if you doubt my evidence.

WILLIAM ARGENT (*police-constable H* 126.) In consequence of information I went to a house in Vine-court, Whitechapel, and took the prisoner Sarah Thatcher into custody on the 28th of January—I asked her what she had done with a basket which she had on Friday morning—she said she carried it to a woman in the Commercial-road—I had not seen her with a basket—it was in consequence of information I put the question.

Q. Did you give her any caution that you were putting questions, and that her answers would be given in evidence against her? *A.* No, not particularly that—I put the question to her from information I had received, but nobody told me to put the question—I got the information from a person named Singleton, in Whitechapel-road—I believe he is a colour-maker—my brother officer, Arnold, was with me at the time.

Q. Well, what did she say? *A.* She said she gave it to a woman in Commercial-road—I locked her up, and went to No. 7, Morgan-street, Commercial-road—I saw her mother there, but said nothing to her, and, without my saying a word to her, she said that her daughter had brought the basket down to her house—I had not mentioned the basket—she said it entirely of her own accord, without my having said any thing about a basket—she said she would go with my brother officer and me; if I would take a walk down to Prince's-street, Whitechapel, which she did, and said if we would stay a bit she would produce the pistols—we did, and she brought the pistols to us, and delivered them to me—this was in Haydon's-alley, Prince's-street, Whitechapel-road—she went there with us, and got them for us—Arnold was with me.

Q. Do you mean that the woman, merely on seeing you, volunteered to state that the basket was brought there, and the pistols, and that she would go and fetch them, without you telling her what you had come about? *A.* I did not put any questions at all to her, nor did I hear my brother officer do so—she had been down to the station-house, and seen her daughter after she was locked up.

THOMAS ARNOLD (*police-constable H* 127.) I was with Argent when he took Sarah Thatcher into custody—she denied all knowledge of the pistols at first—she is deaf, but I spoke loud enough for her to hear—she told me she knew nothing about them; but on Argent taking her down to the station-house, I heard her say that they were brought to her house, and she took them to a woman in Commercial-road—I asked if she knew the woman—she said she did not—she was locked up—I afterwards met with the mother, and told her it was a bad job for her daughter—she said it was, and if I would stop a little while she would go and fetch the pistols.

Q. Then it is not true that nothing was said to her? *A.* I said it was a bad job for her daughter—I do not know whether Argent heard that—he was behind me—she brought the pistols, and delivered them to me, and said that her daughter brought them to the house.

Q. Did you say any thing to induce her to admit that she had them, and then to fetch them? *A.* She did not admit that she had them till I received them—she said she would go and try and find them for me—she did not say she had them—neither the young woman nor her mother said that they knew what was in the basket that was brought; but when the

old woman brought the pistols forward, she said the pistols were brought to her—she said they were brought in the basket, and she burnt the basket—she did not say that she had opened the basket—the young woman said she did not know what was in it—the elder prisoner said that she took the pistols out, and destroyed the basket—she mentioned this in the station-house in the presence of me and several others—I did not mention that before the Magistrate.

SARAH THATCHER—NOT GUILTY.
SOPHIA THATCHER—NOT GUILTY.
THOMAS REED—NOT GUILTY.

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617. JOHN NOWELL was indicted for a robbery on Isaac Finkleston, on the 29th of January, at St. Dunstan Stebonheath, *alias* Stepney, assaulting him, putting him in bodily fear, and taking from his person, and against his will, 17 watches, value 8*l.*; 2 ladles, value 14*s.*; 4 spoons, value 2*l.* 10*s.*; 1½oz. weight of gold, value 3*l.*; 8oz. weight of silver, value 1*l.* 15*s.*; and 1 pair of sugar-tongs, value 7*s.*; his goods; and feloniously cutting and wounding him at the time of such robbery.

Isaac Finkleston. I live at No. 31, Nottingham-place, Mile-end—I am a dealer in jewellery, and attend sales—last Monday night, the 29th of January, I was going home with the articles stated in a bag—it was about ten o'clock—I carried the bag in my hands, over my arm, with the string twisted round my wrist, and round the mouth of the bag—I had got about fifteen yards from my house, and was talking to a woman, who I wanted to buy a pair of slippers of, when the prisoner came behind me—he said nothing, but pulled hold of my bag—I said, "What do you want of me?"—he said, "Give it to me"—I would not, and said, "What do you want of me?"—he took a knife out so quick, so clever, and cut it away—he cut the bag, not the string, and went away with the bag, leaving the string and part of the bag in my hand—he went away very quick—I hallooed out, "Stop thief," and ran after him, but could not go fast, as I had the rheumatism, and I fell down, and Sarah Burgess ran after him—I hallooed out, "My bag, my bag," and she said, "O the bag; the property"—I got up and ran on further, and saw the prisoner when I got to the station-house, when the rest of my bag and my property was produced to me—I knew it directly.

Q. Was your little finger cut when the bag was cut? *A.* I found it cut—the prisoner cut it in cutting the bag—I think I had seen the prisoner a few weeks before, in a public-house, but not on that night—I think I have seen him, at other times, when I went to a public-house—I think he is the same man that cut my bag—on my conscience and sense, I think he is the same man, because every body said he was the man—my things are worth 20*l.*—I had opened the bag, while I was at Cockburn's house that night, because I wanted to exchange a metal watch—I suppose the prisoner had followed me from there.

Sarah Burgess. I am the wife of George Burgess, a mathematical instrument maker, and live at No. 16, York-street, Mile-end Old-town. A man, who works for us, brought home two pairs of shoes, and in consequence of something, I walked with him down Nottingham-place—I saw a man standing by the side of a wall there, about a yard before I got to him—the prosecutor was going along, and the man rushed out with great violence, caught hold of his bag, and said, "Give it to me"—the prose-

cutor said, "Save my bag, mistress; save my bag"—I attempted to do so, but the bag was gone in a moment, and I was afraid I should be cut—the prisoner is the man who did it—he ran away—I ran very fast after him into Charlotte-street—I am certain he is the man—I was not a yard from him all the time he was running—I could have caught hold of his jacket—I saw him run away with the bag, and did not lose sight of him till he was taken, only the moment while he turned round the corner, and ran into the policeman's hands—there was no other man running in that direction—he called out himself, "Stop thief, stop thief," and I said, "That is the man, stop him, stop him"—he had hardly got any distance before he was stopped—there was a mob of people running, but he is the same man I followed from the beginning—I followed him from Nottingham-place, through Charlotte-street, just at the beginning of Whitechapel.

Prisoner. *Q.* What do you know me by? *A.* I am perfectly certain you are the person that cut the bag, and you are the man I followed—I only lost sight of you one moment, while you turned round into the policeman's hands.

Prisoner. She said in her deposition that I was the length of one street from her, and that she could not swear to me—I should like to hear it read.

COURT. *Q.* Is that your hand-writing? *A.* Yes—(*looking at her deposition*)—it was read over to me, and I signed it, and the same is in that as I have said to-day—(*the deposition being read, stated, "I feel pretty sure he is the man, but I cannot swear it."*)

Q. You hear that you expressed a doubt there that he was the man? *A.* I know he is the man, because I was not *an ace* from him—I could have caught hold of his jacket the whole of the way; and as he turned round the corner the policeman caught him in a moment—I have no doubt in my own mind that he is the man—I only lost sight of him just as he turned the corner, and the policeman caught him in a moment.

Prisoner. The policeman said I was walking behind him in a narrow street about five or ten minutes before the job was done; and the woman and man say I could not have passed them in the street without their seeing me—the prosecutor was as tipsy as he well could be. *Witness.* I do not think the prosecutor was tipsy—he had been drinking a little, perhaps, but was not tipsy.

EDWARD BLANEY (*police-constable H* 91.) I was on duty in Fieldgate-street, a little before ten o'clock, on the night of the 29th of January, and heard a cry of "Stop thief," in Charlotte-street, which is on a line with Fieldgate-street—I ran into Charlotte-street, and saw the prisoner coming up the middle of the street, running, and crying, "Stop thief"—there was nobody before him—he passed me, still crying, "Stop thief"—I turned back, and ran after him into Whitechapel—I lost sight of him for an instant, and when I turned the corner I found him in the custody of Argent—he had nothing when he passed by me—the prosecutor and the witness Burgess were following him—the prosecutor charged him with this directly he came up; and I thought he would have struck him with his stick—I looked about for the property, and found it in Charlotte-street, about twenty yards from Nottingham-place—the prisoner had run close by that spot—there was nobody running in the street, except the prosecutor and the woman Burgess.

ISAAC FINKLESTON *re-examined.* I lost my property in Nottingham-place, a very short distance from Charlotte-street.

SARAH BURGESS *re-examined*. He ran up into Charlotte-street, and passed where the property was found.

Prisoner. The policeman said I was walking close behind the prosecutor.

EDWARD BLANEY *re-examined*. That was another policeman, not me.

WILLIAM ARGENT (*police-constable H* 126.) On the 29th of January I saw the prisoner running out of Fieldgate-street into Whitechapel-road—Fieldgate-street and Charlotte-street are all in a line—he turned the corner, hallooing "Stop thief"—I secured him, and took him back into Charlotte-street—I met the prosecutor, who charged him with robbing him, and he denied it.

WILLIAM PARSONS. I am a policeman. On the night of the 29th of January I saw the prisoner six or seven yards behind the prosecutor, about ten minutes before the robbery—I came up Nottingham-place, and met them—I got round into George-street—I heard a cry of "Stop thief," and ran back into Nottingham-place, and met my brother officer with the prisoner.

MATTHEW COCKBURN. I am the son of Matthew Cockburn, and live in White Hart-street, Shadwell—On Monday the 29th of January, between seven and eight o'clock, I saw the prisoner at our house—the prosecutor was also at our house, at the bar—my father and he were talking some time about exchanging some watches—he showed his watches out of the bag, and put them on the counter—the prisoner was there standing in front, and could see what he produced, but I did not observe whether he was looking at them.

Prisoner. I have used the house two or three weeks, ever since I have been out of employment.

ISAAC FINKLESTON *re-examined*. My finger was cut, but I do not think he did it on purpose—it was cut with a knife, and was cut to the bone.

WM. PARSONS *re-examined*. I found no knife on him.

(*Property produced and sworn to.*)

Prisoner's Defence. I was coming past, and heard the cry of "Stop thief"—I ran along, with about twenty or thirty more, and *sang* out the same as they did, and the policeman stopped me—as for doing the deed, I did not—I came home in the *Caroline* about two months ago, and have been out of work ever since, but I did not do this—when the prosecutor came to the station-house, he said he could not tell it was me till they pressed him to say it was me.

ISAAC FINKLESTON *re-examined*. That is a story.

GUILTY of robbery only. Aged 21.—Transported for Ten Years.

Before Mr. Justice Vaughan.

618. CHARLES CAIN was indicted for feloniously killing and slaying Lewis Handford, upon the high seas, and within the jurisdiction of the Admiralty of England.

MESSRS. BODKIN *and* DOANE *conducted the Prosecution.*

JOHN ASH. On the 1st of February, last year, I was cook on board the barque *Kingston*. I went on board at Liverpool—the prisoner was the captain—I knew the deceased Lewis Handford—he was the steward—the crew consisted of twenty or twenty-one—on the 2nd of March we sailed for the coast of Africa, and on the 17th of April we arrived at New Sulabar—on the 20th of May we were at the Island of Baracoon, in the

Calabar River—that is about ten miles from the mouth of the river—the tide flows there—we carried about 300 tons—on the afternoon of the 20th of May, I observed the steward pumping some rum off—that was part of his duty—he came to me, and asked me to clean some candlesticks for him—he was going to get some tacks out of the cabin—he then left the deck, and went into the cabin—I afterwards heard the carpenter cry out for the Kroo boys to come to the cabin, and some of the native boys, who were also in the cabin, called out for them too—the Kroo boys are natives of the coast—full-grown men are called Kroo boys—I did not hear the captain say any other words at that time—the Kroo boys came out of the cabin, and at that time there were some other Kroo boys coming alongside in a canoe—there were three Kroo boys, four "pull-away boys," and the second mate—they came out of the canoe on to the deck.

Q. You have said the captain called for the Kroo boys to come, after that what did he do? was any thing said about the steward? *A.* Yes, he said, "Fetch this b—— son of a b—— on deck, out of the cabin; he has struck me in my own cabin"—three of the Kroo boys, named Walker, Gray, and "Bottle-o'-beer," then rushed into the cabin—I saw them fetch the steward out on deck, on to the starboard side, by the companion-door—the cabin is only two steps down from the deck—after the steward was brought out of the cabin, the captain came from the cabin—he followed the men on deck—he had a *cat* in his hand—a *cat* is a stick with twelve tails attached to it—the stick is from eighteen inches to two feet in length, and about two-and-a-half-inches round—the tails are made of log-lines—it is a mere plain line made up very hard—the captain had one of these in his hand—I saw him strike the steward with the butt-end of it on the head, and it knocked him down like a bullock—the captain then said, "Pay that black son of a b——, he has struck me in my cabin, he has catched me by the p——s and the throat, and tried to choke me"—he then said, "Lay on him, and kill him, a black son of a b——, kill him!"—the captain was addressing the Kroo boys, and the natives of the country, the boys who had been in the cabin—they had *cats* in their hands, and sticks and pieces of rope besides—pieces of lead-line, which is what they sound with.

Q. How came that in their hands? *A.* The captain ordered it to be cut up when they were flogging him—there were from twelve to eighteen flogging him at different times—he never rose from the deck after the captain knocked him down with the butt-end of the *cat*—they flogged him while he was down; and while they were flogging him on the deck the captain kicked him more than twenty times—he kicked him at his side, face, and head.

Q. Did the steward say any thing while this was going on? *A.* Yes, he said, "Oh Lord, I am a dead man," several times—that was while the flogging was going on—the captain came half-way forwards to me after that, and said, "Cook, you know something about this"—I said, "Captain Cain, I know nothing about it"—I told him I knew nothing about his and the steward's affairs—he then said to me, "Cook, you black son of a b——, I will shoot you."

Q. Was there any flogging after your hearing the steward cry out that he was a dead man? *A.* Yes—he was flogged till he was dead—the captain still remained kicking him—I did not hear the steward say any thing more—all I heard him say was, "Oh Lord, I am a dead man"—he said that three

or four times—I remained close to where the flogging was, standing on the starboard side, aft—the steward was dressed in a striped shirt, a flannel singlet, and a pair of trowsers, but the captain ordered the shirt and singlet to be torn off after the flogging had continued some time—they were partly torn off, and he said, "Never mind the son of a b——; kill the black son of a b——; flog him"—I am a native of the West Indies—the steward was an American born.

COURT. *Q.* In what state was he when they left off flogging; do you mean that the flogging continued till he was dead? *A.* Yes.

Cross-examined by MR. ATTORNEY-GENERAL. *Q.* And the captain standing by all the time, was he? *A.* Yes—he stood there from the time he came on deck till the steward died, omitting once, when he came half forward, and said he would shoot me—he never went below till the steward was dead—that I am sure of.

Q. Had any complaint been made against you before the 20th of May? *A.* Yes, and I had been flogged—that was on the 2nd of May—it was on a charge that I was going to run away with the ship's boat—the steward and me were the only black men on board the ship, the only ones that sailed from Liverpool, but at Calabar several other black men joined in working the ship—I had no dispute with the captain after this respecting my wages—none whatever—I assisted a boy, named Lees, to do the steward's duty after the steward's death—I made no demand for that—I never made any demand for more wages than I had first agreed for.

Q. How long had the captain arrived at Liverpool before you made this charge against him? *A.* A fortnight, I believe, or three weeks—I cannot say whether he was on board every day after the ship arrived there—I was not on board the ship but twice, and he was not to be found then—I knew where the owners resided—they are Messrs. Stevens and Horsfall—I knew where they were—I tried to find the captain after his arrival on the 2nd of January—I inquired at the office, and could not find him—he was not to be found for two or three weeks after the ship's arrival—I made a complaint against him to the owners, Messrs. Stevens and Horsfall, on the 2nd of January—we arrived on the 1st of January, and I made a complaint to them the next day, and then looked out for the captain, but could not find him for three weeks.

Q. What was the length of time, according to your judgment, between the steward going down below to look after the tacks and the time he was brought on deck? *A.* From five to ten minutes—I did not hear any scuffle in the cabin when the captain came on deck—I observed a wound on his head—it was not bleeding much, not worth speaking of—it was bleeding—it was on the back part of his head—I did not observe any marks of fingers on his throat—I did not observe his throat, to see whether there were or not—he did not seem exhausted—he seemed very passionate—he seemed very fresh, as far as I could see.

COURT. *Q.* Do you mean he did not appear to you as if he had been ill-used; do you mean that? *A.* Yes.

MR. ATTORNEY GENERAL. *Q.* Were either of the Kroo men called Walker? *A.* Yes—he was one that flogged first—him and Gray—both of them laid on at once, and "Bottle-o'-beer" at the same time.

Q. Was there a boy at Calabar called Dogaboo? *A.* Yes—I saw him flogging the steward about the eyes—the captain was on deck at that time.

COURT. *Q.* Do you mean that the captain was present, and must have seen Dogaboo flog him about the eyes? *A.* Yes.

MR. ATTORNEY GENERAL. *Q.* Was there a boy who went by the name of *Three-fingered Jack?* *A.* Yes; and he had a stick, beating him—it was a heavy stick—I cannot say whether he gave the steward severe blows with it, but he was beating him all the time, every chance he could get at him—I cannot say where he hit him, but I saw him beating him.

COURT. *Q.* Do you mean the captain saw him do that? *A.* He was standing kicking him at the time—he was so near that he must have seen him.

MR. ATTORNEY GENERAL. *Q.* Will you swear that the captain had not gone below, before *Three-fingered Jack* struck the steward with the stick? *A.* He was striking him all the time—I never saw him go below till the man was dead—he did not go below—*Three-fingered Jack* struck the steward from the beginning, as often as he had a chance—the flogging continued three quarters of an hour, till he died—*Three-fingered Jack* had the stick, and was beating him with it all that time, whenever he had a chance.

Q. Were you not examined on this subject, when you were on board the ship? *A.* Yes—she was lying in the Calabar river at the time—Captain Hemmingway and Captain Dawson came on board at the time, and I was examined before them—there was no promise or persuasion made to me then, with respect to the account I was to give of it—there was no threat held out to me—I was desired to speak the truth—the account I then gave was taken down in writing, and read over to me, and I signed it—this is the paper—(*looking at one.*)

COURT. *Q.* Was Captain Cain present when you were examined? *A.* He was walking backwards and forwards in his own cabin—I was examined in the main cabin—there are two cabins.

MR. ATTORNEY GENERAL. *Q.* What sort of shoes did the captain wear? *A.* They were strong shoes—the natives do not wear any shoes in that climate—the captain generally wore strong shoes—I cannot say whether he wore strong shoes that day or not, but he had shoes on—he generally wore strong shoes on the coast of Africa, when going on shore, and when he was on board, at times, unless he had on his slippers in the morning, when he first got up—generally speaking, he wore strong shoes on the coast of Africa.

Q. Have you ever said that the steward was not punished except in an ordinary way? *A.* Yes.

MR. BODKIN. *Q.* Was that taken down in writing? *A.* Yes.

MR. ATTORNEY GENERAL. *Q.* Have you not often said that he was punished in an ordinary way? *A.* No, not often—only once.

Q. When Captains Hemmingway and Dawson examined you, hady ou not an opportunity of stating what you pleased respecting the transaction? *A.* No, I had not, because I was in danger of my life from Captain Cain and the Kroo boys—the examination was better than a week after the steward's death, but I cannot exactly say how long—it might be a month—there had been no disturbance on board after the steward's death—no threat was held out to me.

COURT. *Q.* Why were you afraid then of stating this, if they had not threatened you, and there had been no disturbance? *A.* I was threatened before this—before the flogging—I was put in double irons, and chains round my neck, with a padlock to my neck, and was kept on deck al

night in the rain—that was on the 2nd of May—this happened on the 20th.

Mr. Doane. *Q.* Was that the reason why you were afraid to give the account? *A.* Yes—some of the crew made the charge at Liverpool before me—they made the charge the second day—I was examined before the Magistrate at Liverpool on Saturday week, this day fortnight—the only time that I said the steward was punished in an ordinary way was, when what I said was taken in writing by the two captains—they were the captains of two vessels which were lying near us at the time this took place—they were about a hundred or a hundred and fifty yards off us at the time—it might be a month after it happened that that inquiry was made by the captains—there were only those two vessels near us—they laid inside the harbour.

Edward Jones. I was shipped on board the barque *Kingston*—I remember the steward being flogged on Saturday afternoon, the 20th of May—I was cooper on board—the *Haywood* and the *Ann* were lying near the *Kingston* at the time—they are trading vessels—they were lying not above half a mile off, and there was the *Snowden* further off—Mr. Grant was captain of the *Haywood*, and Mr. Holme of the other—the *Snowden* was a barque—she had two or three captains on board, but her sailing captain was named Wylie—she was a good way up the river—there was no ship of war that I saw up the river, or at the bar—on the afternoon in question I saw the steward on deck—he passed me several times with water—he came to me for some tacks—I was on the starboard side—I did not give him any tacks—I did not see him go into the cabin—I do not know what became of him after I told him I could not give him any tacks—about a quarter of an hour after he left me I heard a cry out from the cabin—I did not know whose voice it was till the captain came on deck—that was the first I heard, but I heard a noise in the cabin—it was a scuffling noise, as if the cabin was all in an uproar—I was seven or eight yards from the cabin, in the fore part—I did not see the captain come out of the door, but I saw him directly he came on deck—there was only me and the cook on deck at that part—I cannot say who was standing near the cabin door or steps when I saw the captain there—there was no white man there.

Q. What did the captain say when he came out? *A.* He said, "The black son of a b—— laid hold of me by the * * * * in my own cabin"—I saw the steward dragged out of the cabin by three or four Kroo men—Walker, Gray, and Bottle-o'-beer, and as soon as the steward entered on deck, the captain knocked him down with the handle of the cat.

Court. *Q.* Did you observe the captain's head when he came out of the cabin? *A.* Yes—he had a cut on his head, and it was bleeding.

Mr. Bodkin. *Q.* Where did the captain hit the steward when he knocked him down? *A.* On the head—he had no hat or covering on his head—the handle of the cat was about the thickness of a man's wrist, about three inches in the round, and fifteen or eighteen inches long—the handle tapered off towards the end—I could not see which end he struck him with—after the steward was knocked down on the deck, the captain called for the carpenter, who happened to be forward, and he did not come, and the captain gave the cat to Walker, one of the black men—there were two more cats—I cannot say where they got them from, they got them so quick, and two more Kroo-boys began to flog him—I suppose the captain ordered them—he was standing by—he walked in a raging way, and gave the stew-

ard several kicks—that was after the flogging had began ; and then they got the lead-line out—I saw him kick him three or four different times about the head and neck—the captain ordered the lead-line to be got, and there were three pieces cut off it—they might be about three or four feet long—they were given to the natives of Calabar, not the Kroo boys, but other black men—Mr. Carr, the second mate, gave them to them—the captain was there, and ordered him to do so—he was walking about, and said, "Kill him out, kill him out, hit him about the head, kill the black b— out."

Q. Did you see any thing done to the dress of the steward? *A.* Yes, the captain ordered his shirt to be taken off, and it was taken off—the flogging continued after that—the steward never got up again—the black men's arms ran down with perspiration, with flogging him—he was quite dead when the flogging was over, and the carpenter put the handcuffs on —the carpenter was not there at first—he came when they commenced flogging him, and staid there all along—he put them on after he was dead —the captain ordered him to do so, and to put him down below—the carpenter put them on— he went and told the captain that he was dead—he then said, "Take them off."

COURT. *Q.* Could not the captain have seen whether he was dead, without being told? *A.* He never looked.

MR. BODKIN. *Q.* Where was the captain standing at the time the carpenter told him the man was dead? *A.* Just at the cabin-door—the steward was about four or five yards off, I believe—there are but two steps from the deck to the cabin—a person in the cabin could see what was going on on deck, on the starboard-side, the side the flogging took place —I saw the steward's body that night, and again next morning, when he was buried—I helped to put him *in*—we did not see his back—his body was not cut, but it was a complete swell as if it was all *masticated*—all about his body was completely swollen up—a complete mass of *mash* and blood—his face was completely swollen, and his eyes were kicked in.

COURT. *Q.* Do you mean as if it had been kicked? *A.* Yes—as if it had been kicked and knocked with ropes together—I could not understand what the steward said while he was being flogged—I do not hear very quickly.

Cross-examined by MR. ATTORNEY-GENERAL. *Q.* Are you hard of hearing? *A.* Yes—I was standing seven or eight yards off—sometimes I was nearer—I could hear what the captain said, but not what the steward said—the captain seemed in a terrible rage when he came on deck—he seemed hurt, and in a very exhausted way—he seemed to be out of breath —his head was bleeding, but I did not notice it bleeding much—there was a good-sized plaster on it the next day—I cannot tell how long he wore the plaster—I saw it on for a fortnight or more—I heard the scuffle down below in the cabin—I did not observe any marks on the captain's throat —he walked backwards and forwards, and I did not take that notice—the captain remained on deck from the time he came on deck till the steward died—I am positive he never went into the cabin—I do not know a Calabar-boy named *Three-fingered Jack*—there were some Calabar-boys on board with sticks.

COURT. Q. What sort of sticks were they? *A.* Canes—they were not big enough to do any mischief—not like English sticks at all—I saw them standing round with their sticks.

MR. ATTORNEY-GENERAL. *Q.* You did not see a Calabar-boy who went

by the name of *Three-fingered Jack*? *A.* No, nor any one that had a stick larger than the others—I did not hear the steward ask for a glass of water.

Q. Did you see him sit up at any time after the flogging was over? *A.* He was sometimes half sitting—he never sat up—the handle of the cat was three inches thick in the round, and it might taper off to about an inch and a half—I did not observe what kind of shoes the captain wore—when he did not go ashore he used to have nothing but slippers—he wore slippers on board—sometimes they were made of morocco—they were light slippers—the steward died during the flogging—any person who was looking on might perceive that he was dead—I perceived it—I saw him stretch himself out, and the captain was looking on—he was walking backward and forward—he must have seen it.

Court. *Q.* You said something about stretching out? *A.* Yes; he stretched out, and never moved after, and he was flogged after that.

Mr. Attorney-General. *Q.* After it was clear and evident that he was dead, they continued flogging him? *A.* Yes, the captain being by—after it was clear that he was dead, the captain ordered him to be put in irons—they might give him a dozen lashes or so after he was dead—I could not see any movement whatever after he was dead—it was after that he was ordered to be put in irons—I was examined on this subject before Captains Hemmingway and Dawson.

Q. Were you not on that occasion desired to speak the truth? *A.* No; they told us to say what we knew concerning it—they did not hold out any promise, or make any threat—what I said was taken down in writing, and read over to me, and I signed it—this is the paper, with my signature to it—(*looking at it.*)

Mr. Bodkin. *Q.* You saw the man stretch himself out, was it from that you concluded he was dead? *A.* He had not the least appearance of life in him after that—he stretched himself out as if he was dead, laying himself out—the captain was just on the larboard side, sitting down at the time—whether he saw it I cannot say—it was rather dark then.

Court. *Q.* Then the captain was not in a situation to see him at that moment? *A.* No—I cannot say whether he was.

Mr. Bodkin. *Q.* You say the captain generally wore light slippers unless he went ashore? *A.* Unless he went ashore, or on board some other vessel—if he had been ashore or on board any other vessel that morning it must have been very early—he had not been since eleven o'clock, for he had been on board—as far as I know, he had not been ashore at all—I cannot say whether he had light slippers or light shoes on during the flogging.

Court. *Q.* At what time did the flogging take place? Between three and four o'clock in the afternoon, it might be.

Mr. Bodkin. *Q.* At what time were you examined before the two captains, at night or day? *A.* At night, and I was half asleep—I was called out of my hammock—it was from ten to twelve o'clock at night—I was examined in the captain's private cabin—there are two cabins, a fore cabin and a main cabin—I was examined in the private cabin, where the captain slept—the captain was walking about in the main cabin at that time—they are both on one deck—he was in one cabin, and I was being examined in the other, but the door was open—they both join each other—the captain could hear all that took place in the course of the examination—I knew he was there when I was examined.

Q. At the time you were examined were you under any fear? *A.* Yes —I was afraid of telling the truth on board the ship, because I had to come home in the ship—I had not had any quarrel with the captain—there was no quarrel between the captain and any of the people in the voyage home, only just what might be on board a ship—nothing to notice.

WILLIAM DODD. I was cooper on board this vessel. I remember on the 20th of May being at Calabar—between five and six o'clock in the evening of that day I heard a great noise in the cabin—after hearing that noise I saw Captain Cain come out of the cabin, and three Kroo boys—when he came out, the three Kroo boys brought out the steward—the captain had a cat in his hand, and when they got the steward out, the captain struck him on the head—I cannot say exactly where he struck him with the stump of the cat—he knocked him down, and he never rose again—the captain said, "He is a black b—— to take me by the throat and * * * *, and throw me down in my cabin;" and "I will have your life this night"—the captain hit him several lashes himself with the tails of the cat—he then called to Mr. Carr, the second mate, to make some cats for the three Kroo men, Gray, Walker, and Bottle-o'-Beer—the mate made them, and they were given to the Kroo men—he cut them off the log-line—Captain Cain then ordered them to commence flogging him—they had not been flogging him before that—they did then flog him, the steward being down—the captain was by at the time—they were flogging him all the time, from beginning to end, until his death.

Q. Did the captain himself do any thing? *A.* He kicked him every time he got a chance, about the head and neck mostly—the steward had his shirt on—it was ordered by Captain Cain to be pulled off, and it was pulled off his back—after the shirt was off he told them to go on flogging—the steward said, "Lord, save me, I am a dead man"—the captain was on deck at the time he said that, and after he said it, the captain said, "You black b——, I will have your life this night."

COURT. *Q.* Then, according to your account, he used that expression more than once? *A.* Yes, many times.

MR. DOANE. *Q.* Did you hear the steward say any thing else? *A.* Yes, he said, "Lord, save my eyes"—there was a boy named Dogaboo, and every time he could get a chance to cut the steward, he was trying to cut him in the eye—the captain was by at the time—every time he called out.

COURT. *Q.* Do you mean the captain must have seen Dogaboo trying to cut him in the eye? *A.* He could not help seeing him, he cut him so often.

MR. DOANE. *Q.* Then he was cut in the eye? *A.* Yes—the captain did not say any thing when the steward said, "Lord, save my eye," to my knowledge—the flogging went on—I remained there till he died—the flogging went on till he died.

COURT. *Q.* Did you see him at the moment you judge he died? *A.* Yes—he turned himself on his face, and stretched his arms and legs to the greatest extent, and they still flogged him on his back—the captain must have seen that—he was there at the time—I observed his face and neck in the morning after—the neck and head was all in a jelly, and all of a thickness nearly—his eyes were closed—he was cut terribly about the eyes.

Q. Did the eyes project, or were they knocked in? *A.* They were rather out a little—they were not knocked into his head—I returned to

Liverpool with the vessel, and attended during her discharge, and did not see the captain on board then.

Q. When did you see him first on board the vessel, when she arrived? *A.* On Friday, the 19th of January—(she arrived on the 1st, and during those eighteen days I did not see the captain on board)—I went on a stage which a cask had been landed from, and I said, "Captain Cain, how are you, I hope you will shake hands with me now?"—he was taking off his glove to shake hands—I said, "Captain Cain, you must come now, for that man's life"—I called two policemen, and gave him into custody—the ships to which Captains Hemmingway and Dawson belonged were at Calabar before we were—we were in the river before the *William* brig—Dawson was the captain of that—the name of Hemmingway's vessel is the *Snowden* barque—they were not lying near the *Kingston*—they were lying higher up—the *Haywood* and the *Ann* were the nearest vessels—they were both nearer than the other vessels.

Cross-examined by Mr. Attorney-General. *Q.* Where were the *Ann* and *Haywood* in June? *A.* In the river—I cannot say whether higher or lower than us—the *Haywood* had moved from the place where it was on the 20th of June—I do not think the *Ann* had—when it was found that the man was dead, I was sent to the *Ann* for the doctor—that was after he was dead—he died under the lash—they continued to lash him for a few minutes after he was dead, and after he was dead, Captain Cain ordered him to be put in irons, when anybody might have seen that he was dead—there was no movement whatever in him—it was plain he was dead—the captain seemed quite in a passion when he came on deck—he seemed much exhausted—the blood on his head was very trifling, not a great deal—it was running down his neck—there was a good deal of it—I cannot say exactly how much—it was not such a very great deal—I had heard a scuffle in the cabin—it might last five or six minutes—the steward was a strong, well-made man, remarkably stout—I believe the captain got his wound dressed the same night, but I did not see it dressed—the captain did not go down into the cabin to have his wound dressed before the steward was dead.

Q. Do you recollect being examined before Captains Hemmingway and Dawson? *A.* Yes—they desired me to tell what I knew about the transaction—they did not offer any reward, or throw out any threat about my speaking the truth, but I durst not tell the truth because the captain was a cruel man to others, and I thought he would be the same to me—he had never hurt me nor struck me either before nor after.

Q. Do you mean to say that the captain absconded on his arrival at Liverpool? *A.* There was a boat came alongside, and he engaged it, and just as we got round the Dock he got into it, and before the ship came to anchor he left it—it was then in charge of the pilot.

Q. Is it not usual for a captain to go ashore to meet his owners as soon as he arrives? *A.* I have seen them go before—it is usual for captains to remain in the ship to see her discharged, and to attend the vessel during her discharge.

Q. Is not that the duty of the chief-mate? *A.* It is the duty of both—I have seen them both do it—it is not the captain's place to attend the delivery of cargo.

Court. *Q.* Did you not say he never came on board from the time he

left her, before she came to anchor, till the 19th? *A.* If he was on board I never saw him.

MR. ATTORNEY-GENERAL. *Q.* On the 20th you went before the Police-Magistrate at Liverpool? *A.* Yes—I remember immediately after going before the Magistrate being in company with Gove, the boatswain—a man named John Jones was not there to my knowledge—I do not know a man named John Jones—I was in company with the boatswain at the spirit vaults in Exchange-street—Gove and I were examined before the Magistrate separately—I do not know whether we were at the spirit vaults after we had been examined—I did not say to the boatswain, "What did you say on your examination?" not to my knowledge.

Q. Did the boatswain reply to you that he had said that the captain flogged the steward on such a day? *A.* He told me he knew he had flogged him on a certain day—I do not recollect saying that I had said the very same—I recollect the boatswain did say that to me.

Q. Did you not say, "I said the very same, and we must both speak alike?" and that you would go any length, any distance, and at any price, to hang the b—— b——? *A.* No, I did not—I said I would go before any Court of Justice to tell the truth upon him—that is all I said—I did not say I would hang him at any price—when I was examined before Captains Hemmingway and Dawson, what I said was taken down in writing, read over to me, and I signed it—this is my signature—(*looking at it*)—they desired me to tell all I knew about it.

MR. DOANE. *Q.* How long have you been engaged on board vessels? *A.* I went first to sea ten years ago last January—I have never had any quarrel with the captain—I have been with the prisoner ten months this voyage, and never had any quarrel with him—the captains did not threaten me with any thing when I signed that paper, bnt I was afraid if I told all I knew about his kicking him, that he would do something bad to me.

WILLIAM GOVE. I was boatswain on board the *Kingston.* I remember the evening the steward was flogged—I first saw the Kroo-boys drag him out of the cabin, by the captain's order, and bring him on deck—the captain was there at the time—I did not see him do any thing before the flogging commenced—I was by the larboard fore-rigging, on the opposite side of the vessel—I did not notice whether the captain had any thing in his hand—the steward was out of the cabin, and on deck, when my attention was first called to him—he was down on the deck when I first saw him—I heard the captain order the Kroo boys to flog him, which they did with cats, lead-line, and rope's ends—I saw the captain kick him constantly with his feet, any where, where he could get handiest at him, and at the same time that they were flogging him.

COURT. *Q.* How often did the captain kick him? *A.* I cannot say how often—I saw it more than twice—I should say three times, but I cannot say he kicked him constantly; whenever he could get a chance—I should say he kicked him four or five times—I do not know where.

MR. BODKIN. *Q.* Were the men that were flogging him about the man at the time? *A.* Yes—I could not see in what part the captain kicked him—I cannot tell what shoes the captain had on—he used to wear slippers at one time, and shoes at another—he had not left the ship that day, to my knowledge—while the flogging was going on, I heard the steward beg for mercy—he said, "Forgive me this time, captain, and I shan't fall into any

or words to that effect—I cannot exactly mention the words, such an uproar in the ship—I suppose they had been flogging minutes, when he said that—the captain said, "Flog the black ll have his life"—I did not hear the steward say any thing else ng continued until he died—the captain was there till he died re was no life in him—he was not moving, and the captain s to be put on by the carpenter—the carpenter said it was no irons on a man that was dead—the captain said, "Never mind eave a bucket of water over him, and see if there is any life in teward's shirt and singlet were taken off, after they had flogged while—that was by the captain's orders, I suppose—the doctor after the steward's death—what passed about the irons was after had ceased—no white man assisted in the flogging—we were all t the steward and cook, and the Kroo men—they did not belong —they did not come from England—I never had any quarrel tain in my life—I have been following a seaman's life twenty- -I never sailed with him before.

mined by Mr. Attorney General. *Q.* Had you had words tain before the steward's death? *A.* No—not further than e might find fault with me—he had found fault with me before s death, of course, and after—I never was flogged—I had been fever for a fortnight before the 20th of May—I was not confined ock at the time of the steward's death—I returned to my duty

you ever said you were confined to your hammock? *A.* We veral things—we could not exactly tell the truth before we came ustice in England—we were not allowed to tell truth, for fear —I was sick at the time.

you not said you were sick at the time of the flogging? *A.* Not at time I have not—I may have said I was in the hammock, , but not at the time of the flogging—I will not swear it, be- ht have said so, but I was not in my hammock, and I can I was not—I may have said I was—if I had been in my ham- ld have seen the manner in which the steward was flogged.

Q. Do you mean, if you had been in your hammock, you could . from your hammock? *A.* I could.

orney -General. *Q.* You could have seen all you describe? and hear all I have said, if I had been in the hammock, for the re all on deck—I am certain I was not in the hammock—the the *Ann* came to see me, but not on the day the steward was ere was no doctor belonging to the *Kingston*—the doctor of the t pay me a visit on the day the steward was flogged—I have o—I recollect the day on which I was examined before the at Liverpool—I saw Dodd on that day, in Court, before the and out of Court also—I was not in his company after I had ned, further than having a glass of ale with him, after I had Court—Edward Jones was there—I do not know a man named a builder of Liverpool.

you at the spirit-vaults, at the George Inn? *A.* I do not er it was the George Inn or not—it was a spirit-vaults, close hange—Dodd was along with me—I had no conversation with the evidence I had given before the Magistrate—I did not

know what he said before the Magistrate, and he did not l
said—I do not recollect his asking me what I said on my ex
will swear I have no recollection of it—I cannot swear he di
because I do not recollect his asking me about the Magistrate
not tell him what I said to the Magistrate—I did not say any
about the evidence I gave before the Magistrate—he did not sa
both speak alike "—he did not say to me that he would go a
distance, and at any price, to hang the b— b— —not in m
have heard him say he would go before any Court of Justice to
—I do not know how he came to say it—we frequently talked
Cain—I had not been trying to recollect the evidence I a
given before the Magistrate—I do not know such a person a
—I should not know him if I were to see him—he did not i
a public-house—I do not recollect what I drank there—I t
glass of ale, or spirits—I remained in the public-house about te
did not converse during that time at all with Dodd respecting
I or Dodd was to give before the Magistrate—I was exa
Captains Hemmingway and Dawson.

Q. Did they not desire you to tell all you possibly coul
transaction? *A.* We told all we possibly could, but we we
to tell all we knew—they told us to tell all we knew—wh
taken down in writing, and read over to me, and I signed it
signature—(*looking at it.*)

MR. BODKIN. *Q.* You say you were not in your hamm
happened? *A.* No—I may have said I was in my hammo
not—I cannot say when I said it—it may have been when I
before the captains—it might have been at that time, but
examined by them I was sick of a fever, and was called out
be examined—I did not tell the captains I was in my har
recollection—I think it was about mid-day that I was cal
hammock to be examined—I was examined in the cabin—
not there—he was walking in and out occasionally—he wa
stantly—I was under fear at the time I was examined—
being threatened with a flogging, as I have been before.

COURT. *Q.* Do you mean you had been threatened befo
A. Yes, by the captain, both before and after the steward

Q. Are we to understand you that the fear of being flo
to say what was not true concerning the transaction? *A*

MR. BODKIN. *Q.* When the vessel arrived at Liver
main on board? *A.* No—I do not remember, after be
fore the Magistrates, any one asking me to go into a l
Jones was here called in)—I recollect seeing that pers
saw him in the open Court, and saw him down stairs—
a liquor-shop—I saw him there along with many othe
go to a public-house to drink a glass of ale—I did no
he was quite a stranger—what he said to me was, tha
coast of Africa, and he felt much interested in it, an
ship—I said I did not; he then asked me to go an
I [illegible] whether it was before or after
[illegible] still say I never had any conver
[illegible] given—I do not remember
[illegible] said he would go before

—I do not know about the time, as I was sick—I think I was examined in the forenoon—I was desired by the captains to state the truth of what I knew of the matter—they made me no promise or threat—nobody threatened or promised me any thing, but I was very sick and could hardly speak—(*looking at a paper*)—this is my handwriting—this is the paper I signed—I was told to tell the truth—I was very sick, I spoke as much as I could, but I was frightened of speaking more, knowing he could use me bad in coming the voyage home—I do not know who the captains were that examined me—they were two gentlemen.

(MR. ATTORNEY-GENERAL *addressed the Court and Jury on the prisoner's behalf, and called the following witnesses.*)

JOHN JONES. I am a joiner and builder, and live at Liverpool. On the 20th of last month I saw the witnesses, Dodd, and Gove the boatswain, there, under the archway of the Police Court—I had heard Captain Cain was to have an examination that day, concerning something that occurred in the African trade—I have a son in that trade—I was coming by on my own business, and seeing these two men, I turned in, and said to them, "Is Captain Cain's examination over?"—I had seen the boatswain before, and have occasionally met Captain Cain — two or three times within three years—Dodd said they had just been giving evidence against the b— b——I asked them some questions about the *Bonnington*, which is the vessel my son is in—Dodd said he should like a glass of grog, but he had no money—I said I would treat them as they said they had no money, and I went with them to a public-house and treated them—I heard Dodd say to Gove, "What did you say in your evidence?"—Gove answered that he had said that the captain had flogged the steward on the day mentioned—they agreed on the dates—one of them replied, "I said the very same"—the other observed, "We must both speak alike, I would go any length, any distance, and at any price, to hang the b— b—," and he knocked his hands down at the time—they quite agreed in that observation—the cook repeated the words twice, that he would hang him at any price.

MR. BODKIN. *Q.* Your son is apprenticed to the African trade? *A.* Yes, on board the *Bonnington*—she is a ship from Liverpool—Maxwell and Co., of Liverpool, are the owners—I wanted to know whether the *Kingston* had brought any news of my son—she had been in the harbour perhaps a fortnight or three weeks when this conversation took place—I had called at Maxwell's, and saw the cash-keeper, and they had no news—they said they supposed the letters had been lost—the last time I saw Captain Cain in Liverpool was last February, twelve months ago.

Q. Did not you go into the Court where his examination was going on? *A.* I went in, but it was a private hearing, and I walked out again—I did not see Captain Cain there—I did not go into the Court for the purpose of making inquiries about my son—I had been to pay some money, and just coming past it just struck me at the moment—from what I had seen of the prisoner I considered him a very respectable person—it was after I had offered to treat these men that they made use of the expression I have mentioned—I saw some of them under the archway of the Court, and it was there they made use of the expression, before we went to the public-house—I heard Dodd call the captain a b—— b—— before I offered to treat them, but from what I had heard stated, I did think it was a cruel act, and I would have treated them at all events—I had heard of it—it was in the papers—

was in the next room—there was no one in the room where this con-
ion took place—I mentioned it at the Castle inn, which is a respect-
ouse, where tradesmen meet—it might be about ten days ago—it
ut in conversation in the house—I never expected to be called here
it—I named it in the company of several gentlemen three or four
fter.

Why not go and find your former acquaintance, Captain Cain, and
n? *A.* I had no right to inform him—I did not get any information
my son from these two men—I did not go to the *Kingston* to make
y about my son.

. ADOLPHUS. *Q.* When a vessel comes into the dock are the crew
rged, and the vessel put under the care of lumpers to discharge her?
s—if I had gone to the vessel I might not have found any of the
here—I had no reason to suppose I should have heard any thing by
on board—if there had been a regular advice from the *Bonnington* the
n's wife would have told me—I thought these men, coming from
, might know something about my son—the language they used is
quently the common language of seamen.

RT. *Q.* When a vessel arrives and the crew are discharged, though
ptain does not remain, is not some officer belonging to the vessel left
A. The chief mate is.

. ADOLPHUS. *Q.* You have been asked when you gave information of
d you merely inform a personal friend of your ownof it, or the attorney
prisoner? *A.* It was common conversation at the inn, and I knew
g of it till I was sent for last Tuesday or Wednesday—I had never
ny of the professional advisers of the prisoner.

RGE MARMADUKE LEES. I am seventeen years old. I was brought
he Blue-coat-school at Liverpool, and am apprentice to Mr. Horsfall,
ner of the *Kingston*—I sailed with Captain Cain—on the day this oc-
I was in the part of the cabin called the shop, or store-room—the
n told me to tell the steward to pump some rum up quick—the

ard went into the cabin, I heard the captain say to him, "What were you doing among the decanters?"—the steward said, "Nothing."

Q. Is it not usual, when any of the persons on board the ship address the captain, to say "Sir" to him? *A.* Yes—the steward did not say "Sir"—he merely said, "Nothing," in a saucy manner—the captain said, "You have been drinking out of the decanter"—the steward said he had not—he did not use the word "Sir" then—he did not address the captain as "Sir" during the whole conversation, and his manner was saucy all the way through—the captain said, "Will you tell a barefaced lie to my face?"—the steward said he did not tell a lie—the captain then took up a cat that was alongside the chest, (where it usually was, as the blacks are rather fond of stealing things on board,) and struck him across the shoulders three or four times—the steward then seized him by the knee with his right hand, and by the throat with his left, and said he would be d—— if he would be imposed upon, he was a hard-working man—his right hand was at the captain's knee, but he shifted it to his * * * *, and lifted the captain up, holding him in that manner—the steward was a very strong, vigorous man—he then threw the captain down on the chest, and as he fell his head knocked against the handle of the door—the key was in the key-hole, and it cut his head, and I observed it bleeding very much at the back part of the head, just above the ear, on the right side—the cut was about the size of two joints of my fingers—the steward kept hold of him by the throat, and his right hand also was still in the way I have described, while he was down, and he had his head against the captain's head to keep him down.

Q. When the captain was grasped in this manner by the throat, was he able to speak? *A.* No—I observed him struggling to try to speak—he was able to get part of a word out—I heard him say, "Kroo," and I went on deck, and called the Kroo boys—I supposed it was the Kroo boys he wanted from that—they were on deck—Walker, Gray, and Bottle-o'-beer came down, and *Jack* the pilot (not *Three-fingered Jack*)—I and *Jack* tried to pull the steward off the captain, but could not—I caught hold of him by one of his legs—Gray laid hold of his head at the same time, and Walker and Bottle-o'-beer laid hold of his body—we were all pulling at him together, and we succeeded at last in making him let go, and pulling him off—I exerted as much strength as I had, and it appeared to me that the others did the same—we got him off directly we all got together—I observed the captain's throat, and there was the print of the steward's hand on it where he had held him—when the captain was relieved he was not able to speak at first, he was gasping—I spoke to him, but he could not speak to me—he was exhausted—I afterwards went upon deck, and saw the steward lying abreast of the cabin-door—when the captain went on deck he mentioned what the steward had done—he told *all hands* that he had attacked him in his own cabin, and told them the way in which he had done it—there was a little boy called Dogaboo on board—he and the steward were not friends—Dogaboo thought the steward did not give him enough to eat, and he had some dislike to him—the captain ordered the steward to be flogged—he told the Kroo boys to get the cats and flog him, and while they were flogging him, Dogaboo took hold of one of the cats by the lashes and struck the steward across the eyes with the handle of it—it appeared to me to be a violent blow—the steward hallooed out, "Oh my eyes," directly after being struck.

Q. Now, during this, did you ever hear the captain desire any of the

was to kill the steward? *A.* No—not the whole time—he said, "Pay him well," using violent language—he appeared to be very angry—the flogging lasted about twenty minutes at the most—the captain was not present all the time—he went into the cabin to wash his head—his head was streaming with blood—there was a great deal of blood—the captain did not knock the steward down at any time—I went down stairs with the captain when he went to wash his head—when I went upon deck again I heard Walker say, "Look at that fellow, that *be* him that killed the steward," pointing to *Three-fingered Jack*—he is a black man, a native of Calabar.

Q. How long might you have been below deck with the captain, do you suppose? *A.* I cannot say—not five minutes—about three or four—I had observed the steward when I was going down, and at that time I can take on myself to say that he was alive—he was rolling about—I saw the shoes the captain had on, they were small shoes, thin soled shoes.

Court. *Q.* You know what slippers are; they were not slippers? *A.* No.

Mr. Phillips. *Q.* It is a very hot climate, I believe? *A.* Yes—the captain had had those shoes three voyages to Africa before—they are thin soled shoes—not exactly pumps.

Cross-examined by Mr. Bodkin. *Q.* Do you remember going before the Magistrate at Liverpool? *A.* Yes—I was taken there on the part of the prisoner, and was examined at very great length—I was bound over to appear as a witness here—I left Liverpool on Friday to come to London—I came with Mr. Stathen, the attorney for Captain Cain—I have been living at Wood's Hotel, Holborn, since I have been in London—Mr. Stathen went to the same hotel—he went away on Sunday night, and left me there—Mr. Currie came, and staid there after he left—I do not know whether he is his partner—I was there the first two or three days of this week—I did not know that the Sessions began on Monday—nobody told me that—I have come here to-day for the first time during this session—this is the first time I have been told to come here—I have done as Mr. Currie told me.

Q. When you came up out of the cabin after the steward was taken on deck, did you not find him lying down on the deck? *A.* No—he was kneeling down—the Kroo-boys had hold of him—I went out of the cabin before the captain, and stopped when I got to the steps, and then the captain went on forward—the cabin is very nearly on a level with the deck—only three steps down—you can see every thing that takes place on deck, from the cabin-locker—I stopped at the steps for the captain to go on, and I followed him on deck—I stopped by the captain on the starboard side of the steward—the captain was quite close to the steward some times, and at other times a distance off—he told them to pay him well, using violent language—he called him a black son of a b——, and to pay him well—I saw the lead-line brought and cut up—the captain ordered it to be cut up—it was cut into small pieces about two feet long, to make into a cat—they whipped the ends of them, and tied a piece of twine round the ends to keep them from becoming unravelled—the twined end was the end they struck with.

Q. How many men did you see flogging the steward? *A.* Six at one time, besides the captain—he was standing by—he was there when Dogaboo struck the steward over the eyes—whilst the men were flogging the steward, I saw the captain kick him—whenever he could get a chance, he

kicked him—I did not notice where he kicked him every time—he kicked him on the head, and on the face—I cannot say whether he kicked him on the neck—he did on the body—any part he could get at—it did not matter what—that was whilst the men were flogging him as I have described.

Q. Did you cry? *A.* The tears were in my eyes to see the man getting ill-used so.

Q. Was not the captain on the deck when hand-irons were ordered to be put on the steward? *A.* Yes, I think he was, but I cannot be sure to that—he ordered them to be put on, and at that time the steward was dying, if not dead.

COURT. *Q.* Do you mean you thought he was dying, if not dead? *A.* Yes.

MR. BODKIN. *Q.* Were you examined by the captains about a month after this? *A.* Yes, by Captains Hemmingway and Dawson, about two weeks, or so, after—it was not a month.

Q. Now, have you not said that you and all the rest of the men were afraid to tell the truth when you were examined by the captains? *A.* Yes, and that was so.

MR. ATTORNEY-GENERAL. *Q.* Did you or the captain first come on deck? *A.* The captain, and I was close alongside of him—if he had struck the steward with the butt-end of the cat, and knocked him down, I must have seen it—he did not knock him down, nor strike him with the butt-end of the cat at all—the Kroo-boys knocked him down before the flogging began, and held him down, but he was not knocked down by the butt-end of the cat—he made an attempt to go into the cabin again, where the captain was—he was very violent.

Q. From what you saw, did it appear to you that the captain was in danger from him? *A.* Yes; I observed the marks of his five fingers on the captain's throat, and his face was a blue colour—Walker was the first Kroo boy that flogged—he was striking, and the others were holding him—five of them were flogging at the same time—Walker, and Bottle-o'-beer let him go a bit, and then they flogged him again—they took his shirt and singlet off, and then let him go for a time.

Q. Before you went down with the captain, what injury did it appear to you the steward had received? *A.* He was nearly killed before I went down—he could just roll about, but he could not sit up—that was before I went down into the cabin with the captain—the captain got his head dressed—his head was not bleeding much at that time—the blood was getting very hard—I was washing his neck.

Q. When you were below, did the captain see what was going on on deck? *A.* No; he did not seem to look—he could not see what was going on on deck, from where he was.

COURT. *Q.* Could you tell from the noise on deck that the beating was going on? *A.* Yes; any one could hear that.

MR. ATTORNEY-GENERAL. *Q.* Did the beating continue till you went on deck again? *A.* No; they had given over before we got on deck again—*Three-fingered Jack* was on deck when we returned—he was not there when we went below—I did not see him—he is a Calabar-boy—I heard the steward call for some water before I went below, several times.

Q. Was the captain aware that he had been much hurt when he ordered him to be put in irons? *A.* I do not know—the captain was in such a

great passion—I heard the order given to send for the surgeon of the *Ann* to see if he was dead.

(Several respectable witnesses gave the prisoner an excellent character for humanity and good conduct.)

GUILTY. Aged 29.—Confined Two Years.

NEW COURT.—*Saturday, February 3rd*, 1838.

Fifth Jury, before Mr. Sergeant Arabin.

619. GEORGE BOSWELL was indicted for embezzlement.

MARK MANN. I am a newsman and stationer, and live at No. 14, Sherrard-street, Golden-square. The prisoner was my errand-boy—it was his duty to receive money on my account—debts for newspapers, which I sent out daily and weekly—I have daily customers—he was to receive of both daily and weekly customers—if he received money he was to give it to me directly he returned—I had a customer of the name of Faulkner.

ALFRED SMITH FAULKNER. I take my papers of the prosecutor—I owed him 13*s*.—I paid that to the prisoner—I think it was on the 28th of December—he gave me this receipt—(*read*)—he gave me that at the time—it was about nine or ten o'clock in the morning.

MARK MANN *re-examined*. The prisoner has not accounted to me for this—a boy that lived in the same situation told me of it—the prisoner had not left my service—I asked him about it, and then he confessed to it—I made him no promise—he said he took it, and was very sorry for it—he has been in my service about eight months—I have no wish to punish him, as he behaved well before.

GUILTY. Aged 15.—*Recommended to mercy by the Jury and Prosecutor.*—Confined Six Weeks.

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620. JOSEPH NATHAN was indicted for stealing, on the 31st of January, 2 sheets, value 14*s*.; and 2 shirts, value 12*s*.; the goods of Joseph Albert Tunks.

ELIZABETH TUNKS. My husband's name is Joseph Albert Tunks—he is a German, and lives at No. 9, May's-buildings, St. Martin's-lane—he works in Hungerford-market—I keep a ladies' wardrobe. I had two sheets and two shirts lying on the counter, about twenty minutes to eight o'clock, on the 31st of January—I was in the back parlour, and heard the latch of the door open—the front shop door was then shut—it was opened gently—I looked out, and saw the prisoner put his foot against the door, and keep it open, while he took these things off the counter—I will take my oath he is the same person—when he had taken the things he stooped down—I threw my baby on the bed, and hallooed, "Stop thief"—he ran and shut the door—I ran out, and a gentleman said, "Has he got a white bundle?"—I said, "Yes"—I ran down Bedfordbury, and he dropped the things—I took them up—I am sure the prisoner is the man—he was brought back in five or six minutes after I returned home—I had no one at home—I knew him immediately, and have not the least doubt he is the person—here is my property—it was dropped in the street, and here is the mud on it now.

Cross-examined by MR. DOANE. *Q.* Do you mean to say you sav tinctly the person who opened the door? *A.* Yes—the parlour is fc five yards from the door—there is no glass in the door between the pa and the shop—the pane of glass was out—I can swear this is the mai was in the shop—he was taken by the police—I had gone back t house—I did not see him taken, and I do not take it for granted that he man that was in the shop because I saw him in custody—I saw him the things off the counter—I did not see him drop them.

DANIEL DAVIDSON. I am a boot and shoemaker. I and my wife crossing Chandos-street—we heard a cry of "Stop thief"—I left my and ran after the prisoner—I overtook him by the coach stand—he r one of the cabriolets, and got into it—I closed the door upon him, and him there till the policeman arrived—he had dropped the linen bel heard the alarm.

Cross-examined. *Q.* He dodged you about? *A.* Yes—I am sure not catch the wrong man—there were others running, but I got l them, and saw the prisoner get into the *cab.*

JOHN LANDER (*police-constable A* 99.) I saw some persons ru: down King William-street, and Davidson shut a person into a *cab*—I the prisoner there—he was very much out of breath—I had not seei running.

(Lazarus Woolf, of Monmouth-street, dealer in clothes; James A Whitechapel, bootmaker; and Moses Lazarus, No. 25, Cutler-s general dealer; gave the prisoner a good character.)

GUILTY. Aged 24.—*Recommended to mercy by the Prosecutor.*

Transported for Seven Years.

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620. THOMAS JOSIAH GILLINGHAM was indicted for embe ment.

MR. PRICE *conducted the Prosecution.*

WILLIAM EVANS. I am an oilman, and live in the Strand. The pri was in my employment in the month of March last, as commission trav and from August, 1836—in the same capacity during the whole time—r ing a commission on the goods which he sold, but no per centage on the m which he received—it was an understanding that the commission sl cover that—I wrote to Mr. Emery about the middle of January, demai payment of money due from him—I did not get the money—I had a versation with the prisoner about Mr. Emery's account—he told me th should be sure to get it the following journey—that was in the mor April last year—his account of monies received on the journey was ren about the 5th of April—he was to have brought it back, or remitted it was his business to have accounted for it when he returned home—not aware of any thing else particular occurring—there was a convers which I cannot speak to—I gave the prisoner no order to write to Emery—I did not give any further order to the prisoner on that occ —the prisoner made no proposal—he said he should have the mone the next journey—he rendered this account to me about the 5th of A as near as I can say—(*producing it*)—I did not instruct any profes: gentleman at Hastings to write to Mr. Emery—this account i: prisoner's handwriting—these sums are stated to have been coll on that journey, for goods had previously—they were due some

before—I received several other accounts from the prisoner, of monies collected during that journey—the name of Mr. Emery does not appear on any of them—at that time 10*l.* and some odd shillings were due to me from Mr. Emery—he keeps the Castle Hotel, at Hastings.

Cross-examined by Mr. Phillips. *Q.* How long had the prisoner been employed by you? *A.* He came in August, 1836, and continued ever since—his father is a solicitor, I was given to understand, but it is not true, he is a solicitor's clerk—he is not now so, because he is out of a situation—I will not swear that he is not a solicitor, but he has been recently a solicitor's clerk—he called on me before this young man was taken into custody—I think I saw him twice before the prisoner was taken—he asked me for an account of the monies that were deficient—he did not ask me for an account as to how matters stood between me and the prisoner—I have paid him a little over his wages—I have not gone into his account, but I do not think I owe him a farthing.

James Emery. I am an hotel-keeper at Hastings. I paid the prisoner some money in the month of March, on account of Mr. Evans—I think it was 10*l.* 2*s.* 6*d.*—it was 10*l.* and odd—the amount was 13*l.* and odd, but some goods were returned—this is the receipt he gave me—(*producing it.*)

Jury *to* William Evans. *Q.* Was there a settlement with you and the prisoner of the commission on the 5th of April? *A.* Yes, and I have the account in my pocket—I think it was settled in the month of April—I settled all his accounts up to Christmas.

Court. *Q.* Here is a commission on 52*l.* 11*s.* 2*d.*, was all the commission for the journies paid-up to the end of that journey? *A.* The whole was paid up—there might have been a balance owing to him, but very little.

(The prisoner received a good character.)

GUILTY. Aged 40.—*Recommended to mercy by the Jury.*—
Confined One Year.

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622. JANE EDGE was indicted for stealing, on the 1st of January, 1 coat, value 8*s.*; 1 printed book, value 3*s.*; and 1 pair of trowsers, value 2*s.*; the goods of Charles Thomas Sowter.

Charles Thomas Sowter. I am a french-polisher, and live at No. 10, Seymour-place, Camden-town. I lost the trowsers on the 23rd, and the coat and bible on the 24th, from the room where I sleep, which is the back kitchen—the prisoner is a stranger to me—I do not know how she got the things—they have been found—it is a lodging-house, and the door is sometimes left open—this is my coat, and trowsers, and bible.

William James Smellie. I am a pawnbroker. I have these things—the trowsers were pawned by the prisoner.

Elizabeth Blythe. I was in the room with the prisoner where she lodged—she let her pocket fall, and I saw her work it under the bed with her foot—I told the policeman of it when he came.

James Chappell (*police-constable S* 89.) I took the prisoner, and found the duplicate in her pocket—she acknowledged it was her pocket.

Prisoner. I beg for mercy.

GUILTY. Aged 46.—*Recommended to mercy by the Prosecutor.*

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623. JANE EDGE was *again* indicted for stealing, on the 23rd of

January, 1 cloak, value 3*s.*; 1 whittle, value 6*s.*; and 1 saw, value 2*s.* the goods of Hannah Barbara Weller.

HANNAH BARBARA WELLER. I am single, and live at No. 1(Seymour-place. This cloak and saw I lost from the back kitchen, and tl whittle from the up stairs room—the prisoner was in the habit of comin to see the people in the front kitchen—the property is found—it is mine.

WILLIAM JAMES SMELLIE. I am a pawnbroker. I took in this sa' from the prisoner.

JAMES CHAPPELL. The duplicates were found in the prisoner's pock(—they are for a saw, a cloak, and a whittle, which are here.

GUILTY. Aged 46.—Transported for Seven Years.

(There was another indictment against the prisoner.)

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624. ROBERT MARYON was indicted for stealing, on the 5th o January, 2 shillings, the monies of William Henry Smith, his master.

MR. PAYNE *conducted the Prosecution.*

WILLIAM HENRY SMITH. I keep the Old Hicks Coffee-house, at the corner of King-street and Frith-street, Soho. The prisoner was twice in my employment—he first came to me in the latter end of May, 1836—I took him from his friends from school—he remained at that time till the latter end of January, or the beginning of February—he came again on Friday, the 13th of June, 1837, and continued up to the 19th of January last—he was a bar-man, and confidential youth—it was his duty to receive money for the things sold at the bar—on the night of the 4th, when I went to bed about one, or half-past one o'clock, as my general custom is, I counted every farthing of money I left behind me in my two tills, which are about two yards apart—I left two silver sixpences in each till, and about a shilling's worth of coppers in each till, with the addition of a few pence more—it may be 2*d.* or 3*d.* more—I could not say to a few coppers —I left no more in the bar that night, but I left, on the marble slab at the back, 2*s.* counted in coppers—that was the whole—the amount of the monies left in the tills was not five shillings—the money on the slab is always there—it is stationary there—the money consisted of four silver sixpences, and the remainder in copper—there were two silver sixpences in each till, and about a shilling's worth of copper in each till; and there might be a few halfpence more—that was the whole of the money in the tills—I did not leave any shillings in the tills—it is the prisoner's usual custom to go to bed at ten, or half-past ten o'clock —he went to bed, I may say, two hours before me that night—I went to the tills again the following morning, from eight to half-past eight o'clock—it was not nine o'clock—I found the same money, with the addition of a few coppers extra—there was no more silver—only the sixpences that I left the previous night—I again examined the tills after I sent him to breakfast, about nine o'clock—I found the money I left on the slab exactly the same as I left it—it had been there for days and weeks.

Cross-examined by MR. PHILLIPS. *Q.* You found the money on the slab, in the morning, exactly as it had been there for days and weeks? *A.* Yes—I can make no mistake about that—I have considered my answer, and give it upon full deliberation—there were two sixpences in each till, and a shilling's worth of copper in each till, with the addition of a few halfpence extra, and on the slab the 2*s.*—I have always said so—I mean to

swear it—I mean deliberately to swear it—there is no mistake about it—I expect only what is right and just—that I swear—there were two shillings' worth of coppers on the marble slab—I said so from the first time I came into the Court—I have said what money was in the tills, and what money I left on the marble—I have always said so—I did not mention it to Sir Frederick Roe.

Q. Did you ever say that the whole was under 5*s.*? *A.* What I left in the tills I confined it to the tills—I said that the money I left in the tills was under 5*s.*, and 2*s.* in halfpence on the slab—I do not think I mentioned the coppers on the marble slab before the Magistrate—I do not think I said any thing about the money on the slab before the Magistrate—the prisoner came down soon after seven o'clock, and had his breakfast a little before nine o'clock—his usual business was to clean the counter-tops, and serve customers—he was in the shop when I came down, soon after eight o'clock; and it was after he went that I examined the tills—not in his presence—I got some information from a woman named Gee, about the prisoner, on or near the morning of the 16th—she did not tell me at all—she told my wife, on the 16th—she kept an account of the day of the month.

Q. When did she tell yourself? *A.* My wife told me the same day—I had some conversation with the woman on the morning I discovered this robbery, the 5th of January—Gee came to me then, and I had no doubt who committed this robbery on the 5th of January, as she told me of it—the prisoner remained in my service after that till Friday, the 19th of January—I kept him from the respect I had for him and his friends—he was entrusted to my care, that was the reason I kept him—I can conscientiously swear that—I never mentioned, between the 5th and 19th, to any of the boy's friends, that he had robbed me—I continued to leave him in his place of trust till the 19th, occasionally watching him—I always watched him—I did not mention to himself that he had robbed me on the 5th—I did before he left me—I do not know whether it was on the Friday—his warning was not out.

Q. Upon your oath, did not the boy leave you in indignation because you accused him? *A.* No—I called those people who had accused him before his face, and mentioned it to him—that was not the woman Gee—I did not say that it was the woman Gee told me on the 5th, and that was the day he robbed me—Gee told me she had paid the prisoner 2*s.*—she told me that on the 5th of January; and on the 5th I discovered the robbery—I gave the boy a character when he left me—it was from the good feeling I had, and having brought him up in the way I had done, and taught him the business—I could not tell his friends, and I thought the best I could do was to recommend him to some other person, which I did—Mr. Rivers asked me for his character—he lives in White Lion-street, and is a respectable tradesman, I believe—the prisoner was going to a place of trust, I believe; but it is no rule because he robbed me that he should rob others—I heard, from information I received from respectable persons, that he had been robbing me for some time—I got that information, on the morning of the 16th, from my wife—there were three persons—they came to me—it was before I got this information that I gave him the honest character—I cannot say on what day I gave him the character—I believe it was Wednesday—it was before he left me—I called him into my presence before the person I gave him the character to—the gentleman asked me how soon I could part with him—I said I would leave it to himself—the prisoner gave me the notice to quit—

I cannot say the day—I really cannot say the day—I think it was o
nesday—I really cannot say what day it was—he quitted me on
afternoon—I will not swear it was not on Tuesday that he gave me th
—the gentleman came on Wednesday or Thursday evening—it was
Mr. Rivers came to ask the character of the boy that he gave me n
it was after I had seen Mr. Rivers that the three respectable peopl
to tell me he had been robbing me to a great extent—I cannot say
of the month—he had not left me—I then went to Mr. Rivers, a
him—I swear that—it was before he took him into his service, I
Mr. Rivers myself—my respect for the boy's friends had ceased
found he had robbed me to such an extent—about half-past one
on Friday I saw him do what was not proper, at my counter—I
gave him a box on the head, and sent him out of the house dire
have a second public-house—I asked the prisoner to go and live
—that was before I gave him the box on the head—the day Mr.
came to me, I said, "Why cannot you go to the other house and li
me, as well as go to Mr. Rivers?"—that was on Wednesday or T
—it was the day before he went—these people came to tell me
robbed me to a great extent on the Tuesday or Wednesday be
Friday he left.

Q. Now, as you must have heard from the three people on the Tue
Wednesday, that he had robbed you, why did you not tell Mr. Rive
he came? *A.* It was after I saw Mr. Rivers I made this disco
was on Tuesday I allowed him to go and seek for a situation—I
was on the morning previous to his leaving that the three persons c
cannot say to the day, but I think it was—I have sworn he left me
day—the morning previous to that would be Thursday—I said that c
day or Wednesday the three people came—I cannot say the day inc
was a day or two before the boy quitted me that these three people c
cannot say to the day—I kept him after that for the respect I had
—I did not go and tell Mr. Rivers till after he was in the station-
he never went to Mr. Rivers—he was taken to the station on S
night—it was not on that Saturday night that I went to Mr. Ri
went to Mr. Rivers on Sunday—a day or two before he left I
covered he had robbed me to a great extent—on Friday he left,
Saturday night he was in the station-house—on Sunday I went
Rivers—I did not give the boy a good character on that very Sat
I gave him no character at all on Saturday—I mean deliberately
that—no gentleman called about his character on Saturday, upon m
I told a person on Saturday, that from the great respect I had for
I had previously given him a good character.

Q. Did you say, at ten o'clock on that Saturday night, that
given him an excellent character? *A.* I was not at home at ten o
I did not say so between eight and eleven o'clock—I am sure of
might have said on Saturday that I had given him a character
place.

Q. Did you say on Saturday night that you had discharged
given him an excellent character, and he had got another place,
going to it on Wednesday? *A.* I cannot call to my mind wheth
on Saturday night—the policeman told me he was in the station-
there was a gentleman with him who asked me if I had lost any th
I said, "Not to my knowledge"—they took me at a moment wh

not know what I was about—I was not twice deliberately asked the question, and I did not twice deliberately deny it—when the policeman came into my house, he said, "Have you lost a cash-box containing any money; have you lost any money?"—I said, "No, not to my knowledge"—he did not ask me if I had lost 5*l.* 10*l.* 15*l.* or 20*l.*, to my knowledge—I said, "I believe I have not lost any thing to that amount"—he did not—I told the officer that I did not know, to my knowledge, that I had lost any thing.

Q. And that after you had been told by three respectable people that he had been robbing you to a great extent? *A.* I said that to the officer—after I had given that answer, the officer told me he had taken this boy into custody with a good many sovereigns on him.

Q. Did you not then say, "No doubt he has been robbing me?" *A.* Money is not my object in prosecuting—I did say that he had previously robbed me—I did not say that till the officer told me there was money found on the boy—I wished to protect the boy—I had previously wished to screen him from any thing he had done to me, and then the officer put it blank to me—I did not tell the officer he had robbed me till he told me there was money found—I denied it when the officer came to fetch me, and said he was in custody—I did not say, "No doubt he has been robbing me, and I will go and recognise him"—the officer begged me to go directly—I said I would go with the officer—I went to the boy's lodgings, at the house of Mrs. Mary Ann Dickens, on Sunday morning, about half-past ten o'clock—his box was searched by the officer and myself—there was a bottle in the box—I said I would swear to it—I afterwards declined to do so, but I found when I got home that my wife had given it to him—I declined to swear to it before I left the house, or saw my wife, from motives of my own—I knew the bottle came from my shop, because I have so many like it—my good feeling towards the boy made me decline swearing to it on the spot—that was on the Sunday after I had told the officer that he had robbed me—I did not say on Sunday morning, "I have no charge whatever against him"—I said I would not make any search—the officer was searching his box—I did not say, to my recollection, after the bottle was found, "I have nothing against him"—I believe I did not say so before the policeman and the prisoner's aunt—I cannot recollect saying those words—I do not think I did.

Mr. Payne. *Q.* Was it when you first got into the room and saw the bottle that you swore to it? *A.* Yes—it was a small green bottle, worth about 2*d.*—my observation about it was, "Oh never mind that, pass it over"—I have known the prisoner about two years next May—when the officer first came on Saturday I was very busy in my house—the house was full of customers—I think it was half-past nine o'clock—the officer said, "Your name is Smith, I believe?"—I said, "Yes, it is"—he said, "Have you not a barman who you discharged lately?"—I said, "Yes, yesterday afternoon"—he said, "He is taken to the station-house, and we are waiting for you, and you must come directly, before he is locked up, as he has been found in company with an old man with a great deal of money found on him"—he did not mention what amount at the time, but he asked me if I had lost a cash-box containing a quantity of sovereigns—I said, "I never had a cash-box, therefore I could not have lost it"—he asked me if I had been robbed of a large sum of money—my reply was that I had not been robbed, to my knowledge, of a large sum of money at once—I think that ended the conversation till I got on my coat—I am sure I said, "A

large sum of money at once"—I said, "This is a very mysterious case, I will not go without a friend"—I asked a friend in my parlour to go with me—I said I had a very great respect for the youth, and I went with the officer to Bow-street with my friend—when I got there I found the boy arraigned before the bar, on the left of the old man—there was some money produced on that occasion in a box—I was taking stock at the time the prisoner left me—in the last six months I have been a loser of from 100*l.* to 140*l.*—the prisoner never went to Mr. Rivers—on the Friday I was sitting eating my dinner in the small parlour with my door open, my wife was at the counter, and I saw the prisoner hastily put his hand into his pocket, and he drew a pint of beer for half a pint, and gave it for 1*d.*—I jumped up and gave him a box on the head, and sent him out—I did not make any memorandums of dates—I speak from recollection—it was before I had this information from these people that I gave the character to Mr. Rivers—I was really desirous to screen the boy as much as possible—Mr. Rivers is a publican—I have no doubt about the money I left in the till on the night of the 4th, nor about the money I found in the till the next morning.

Q. At the time when you stated to the officer and the other person that you had not been robbed of a large sum at once, did you know of any specific instance except the 2*s.*? *A.* From what my informants had told me—the prisoner's wages were 15*l.* a year—he had 1*l.* 9*s.* 6*d.* when he went.

GEORGIANA GEE. I am in the service of Mr. Redding, of Frith-street, and was so on the 5th of January. I went to Mr. Smith's bar for half a pint of brandy a few minutes after eight o'clock that morning—the prisoner served me—I paid him two shillings.

ELIZABETH DABBS. I was in the service of Mr. Smith. I was not in the bar on any occasion on which Gee came—I was up stairs in the bedroom—I did not come down before she went away.

Cross-examined by MR. PHILLIPS. Q. Were you at Bow-street? *A.* Yes, and was sworn.

NOT GUILTY.

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625. ROBERT JOHNSON was indicted for embezzlement.

MR. PHILLIPS *conducted the Prosecution.*

JOHN HOLLINGSHED. I am clerk and cashier in the furniture department of the bazaar, in Baker-street—the sole proprietor of it is Mr. William Boulnois, junior. I know the prisoner—he was one of the salesmen there, and had his regular wages every week—it was his duty to attend to customers, to take orders, see that they were attended to, and receive money occasionally—each salesman was furnished with a card, and on that card the name of the salesman was written—it was his duty to bring any money he received to me, as cashier—I know Mr. Lewis, Mr. Lyttleton, and Mr. Downes—I did not receive any sum from the prisoner on Mr. Lewis's account on the 15th of September—on the 2nd of November I received from him 100*l.* on Mr. Lewis's account—the prisoner said it was not convenient for Mr. Lewis to pay the whole of his bill at that time, but he would pay the balance about Christmas—on the 12th of January he brought me 25*l.*, and said that Mr. Lewis had just passed through the bazaar in a hurry, and had given him that sum on account—I have since ascertained that the amount of Mr. Lewis's bill, by some alterations and some deductions that he made, was 154*l.* 14*s.*, and of that I received

125*l.*—I have not received from the prisoner the balance due on Mr. Lewis's account—on the 4th of November the prisoner paid me on account of Mr. Lyttleton 115*l.*—there was 215*l.* 5*s.* 5*d.* due from him—the prisoner said Mr. Lyttleton would pay the remainder about Christmas—on the 20th of January he brought me 25*l.*, and said Mr. Lyttleton's butler had just called and given him that 25*l.* on account; that Mr. Lyttleton was very ill, and could not call, but he expected he would call in the middle of the next week, and pay the balance—I had been pretty active about the premises that morning, but I thought there was a possibility of the butler being there and my not seeing him—I went to Mr. Lyttleton's house the same morning—I was told he was not at home—the prisoner was given into custody on the Monday following—there was 75*l.* 10*s.* due on Mr. Lyttleton's account—I have not received that of the prisoner—Mr. Downes owed six guineas and a half—I have not received that of the prisoner.

Cross-examined by Mr. Payne. *Q.* In what capacity do you act? *A.* I am the cashier and principal clerk—I do not hire the other persons—that duty lies principally between the manager and the proprietor—Mr. Druce is the manager—the prisoner had 2*l.* a week, and he was to keep up the appearance suitable to a respectable man—I have been informed he has a wife and three children—I am not aware that Mr. Boulnois has any partner—there was no account whatever kept between the prisoner and me—it was the duty of persons receiving money to bring it to me immediately.

Benjamin Lewis. In the course of last year I purchased furniture, to the amount of 149*l.* 14*s.*, at the bazaar, in Baker-street—the prisoner attended me as the salesman—in September last he applied to me for payment—I had expected credit till the end of the year—I paid him 50*l.* by a cheque of my own—I afterwards sent him an appointment to come and be paid, and I paid him 99*l.* 14*s.* on the 3rd of November—that balanced my account—I did not pay any thing to the prisoner on the 12th of January.

William Thomas Lyttleton. I have been a magistrate of a British settlement abroad for a considerable time. I purchased some furniture at the bazaar in Baker-street, last Autumn, to the amount of 215*l.* 5*s.*—the prisoner attended me as salesman—I paid the prisoner one or two days after they were received, which was on the 3rd or 4th of November—this is the receipt he gave me—(*producing it*)—I did not send my butler to pay him any sum, nor did I pay him any on the 20th of January.

John Downes. I purchased a chair at the bazaar in Baker-street on the 18th of October, and the next day it was delivered, and I paid for it to the prisoner—it was 6*l.* 16*s.* 6*d.*—I have the receipt for it—(*producing it*)—I remember the proprietor of the bazaar afterwards applying to me for the payment, and I showed him the receipt.

Thomas Charles Druce. I am the manager of the bazaar. The prisoner was employed there—he had 100*l.* a year—it was considered quite an equivalent for his services—the salesmen have from 100*l.* to 200*l.* a year—if the prisoner had deserved more the proprietor would have given him more.

Cross-examined. *Q.* When did he come into your employment? *A.* I should suppose about a year and a half since—I engaged him, and had a good character with him—I receive instructions from Mr. Boulnois—there is no other person concerned with him in the business.

(MR. PAYNE. *I am instructed by the prisoner to state, that he wa somewhat in embarrassed circumstances, not receiving so much salary as h ought; and, in an evil hour, he appropriated these sums to his own use, i hopes of being able to make them up, that his employer might not ultimatel be deprived of it.*)

GUILTY. Aged 29.—*Recommended to mercy by the Jury.*—Confined One Year.

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626. JOHN MURRAY was indicted for stealing, on the 31st of January 1 watch, value 3*l.*, the goods of Thomas Emmett.

HARRIETT EMMETT. I am the wife of Thomas Emmett, a watchmake and jeweller, on Holborn-hill. On the 31st of January I was in the littl back parlour adjoining the shop, and saw the prisoner in the shop, with hi back to the counter—he asked our lad for something, and while he wa gone to get it, and our other young man was engaged with a customer, th prisoner reached out his left hand, took something, and put it into his pocket—I went into the shop—I knew there had been three watches in a particular place, and I saw there were but two—I said to the young man, "He has taken a watch, I am sure"—the prisoner then pushed by me and the young man went to the counter, put down a watch, and mixed it with the other two.

Cross-examined by MR. BALLANTINE. *Q.* Has your husband any partner? *A.* No—our back parlour is not more than three yards from the shop—I could not hear what the prisoner asked the boy for—the prisoner was standing with his back to the counter when he took the watch, to have his eye on our young man—I am quite sure there were only two watches when I looked—there had been three, and the others were removed by the prisoner taking one—there was a small scale drawer on the counter where they were placed.

BENJAMIN BULLEN. I was serving in the shop—I called the attention of the boy to get the prisoner the article he asked for, which was a whist-marker—I saw the prisoner standing with his back to the glass-case—Mrs. Emmett came into the shop and looked where the scale-drawer was—she hastily went to the door and called my assistance to her—the prisoner passed by me and Mrs. Emmett very quickly, went to where the scale-drawer was, and said, "Here is the watch"—his hand had been in his great coat pocket, and he placed his hand on the counter.

Cross-examined. *Q.* Might not one of these watches have been *shoved* out of the way by his attempt to get at it? *A.* I think not—it was on a square of glass, and there was nothing on it but the small scale drawer, and these watches were behind it—I was not able to see them behind the scale-box till I came round—I did not see them at all till I was called.

THOMAS BLAKE. I am in the prosecutor's service. I was sent round to the window to get a whist-marker—I gave the prisoner four of them—they would be 6*d.*—he gave me a shilling, and was going out, not waiting for his change—he was leaving the shop, when Mrs. Emmett came and accused him of this—I saw him rush by, and place the watch on the counter—I saw him do that—I had observed the three watches on the counter before that, and when I looked again they were in a different position.

Cross-examined. *Q.* You do not mean to say you saw him take the

watch out of his pocket? *A.* Yes—he took his hand out of his pocket, and the watch was in it.

GUILTY. Aged 25.—Confined Six Months.

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627. HANNAH SULLIVAN and MARGARET TEER were indicted for stealing, on the 23rd of January, 12¾ yards of ribbon, value 5*s.*, the goods of John Hawes Swann; and that the said Margaret Teer had been before convicted of felony.

ANN CHAPMAN BAILEY. I serve in the shop of my master, Mr. John Hawes Swann; he is a hosier and haberdasher, living at No. 127, Goswell-street. On the 23rd of January the two prisoners came to the shop, at six o'clock in the evening—they came in together, and Teer asked for some satin ribbon—I showed them some—Sullivan bought some first, and then Teer bought some, and while she was doing so Sullivan took this piece out of the drawer—it is twelve yards and three quarters of gauze ribbon—I saw her take it out of the drawer and put it under her cloak—after Teer had bought a piece they went out of the shop—they walked out, and I told Mr. Swann, who was in the next room—he immediately followed them, and they were brought back—they are the same persons.

Cross-examined by MR. PAYNE. *Q.* Did I understand you to say that it was after Sullivan took the ribbon that Teer bought some? *A.* Yes—I was standing behind the counter, which is about a yard wide—I was opposite them, and looking at them—Sullivan put the ribbon under her cloak with her right hand—she brought her hand out again—I let Teer buy some ribbon, and suffered them to go out, and then I told Mr. Swann—I did not challenge Sullivan with it—I thought it was best to tell Mr. Swann—I did not call him before the prisoners went out—we had suspected Sullivan of stealing before, and had consulted a policeman the night before, and he told us to let them get outside of the shop—my mind was impressed with the idea that something would be taken when they came in—Sullivan took it, and they walked out of the shop—Mr. Swann was in the next room at tea.

WILLIAM SWANN. I was at my brother's on this evening the two prisoners were in the shop, and directly they were gone the witness came and told us they had stolen a piece of ribbon—I and my brother went out—they crossed the road in a hurry, quite in a run, the moment they saw us—my brother followed them, and brought them back—they were very willing to come back into the shop—he asked me to fetch a policeman—I went out but did not succeed, and when I came back they were gone to the station-house—I went into the show-room and spoke to my sister—she requested me to go into the street, and about thirty yards from the prosecutor's shop I picked up this piece of ribbon, standing on its end in the dirt.

Cross-examined by MR. PAYNE. *Q.* Do you call this ribbon? *A.* I am not in the line—my brother is—I am a carpenter—the prisoners ran across the road—I was as near to them as I am to you—I followed my brother—he followed them across the road—he requested them to come back, and I went for a policeman—when I came back without one they were gone.

JAMES WATTS (*police-constable G* 89.) I took the prisoners into custody.

JOHN HAWES SWANN. I was at home at this time. I was informed of what had passed, and pursued the prisoners—they saw me and my brother—they were only on the step of the door—when they saw me they went about two houses and then ran across the road, and separated—Sullivan attempted to run into a green-grocer's shop—I caught hold of them both and requested them to come back.

Cross-examined by MR. PAYNE. *Q.* What do you call this? *A.* Ribbon—it is gauze ribbon—that is the name by which it is known in the trade—the prisoners came back very quietly when I asked them.

(MR. PRENDERGAST, *on the part of Teer, stated that there was no proof that she had ever been in the shop before—that on this occasion she only went to purchase an article, which she did, and might not have known what was done by Sullivan.*)

HENRY WILSON, (*City police-constable No.* 34.) I produce this certificate of the prisoner Teer's conviction which I got at Mr. Clark's office—(*read*)—she is the person who was tried and convicted.

SULLIVAN*—GUILTY. Aged 20.
TEER*—GUILTY. Aged 18.
} Transported for Seven Years.

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628. MARY CHALLIS was indicted for stealing, on the 30th of January, 2 sovereigns, and 1 half-sovereign; the monies of John Lee.

JOHN LEE. I live at Chelsea, and get my living by labouring. On the 30th of January I lodged in George-street for one night—the house is let out in lodgings for men—I had two sovereigns and a half wrapped up in a piece of paper in my watch pocket—I went to bed about half-past eleven o'clock—I do not think the prisoner lives in the house—I had put my trowsers on the top of the bed, over against the wall—one side was close to the wall, and there I put my trowsers—in the morning I saw the prisoner with my trowsers in her hand—I cannot exactly tell the time—it was daylight—I asked her what business she had with them—she said she was going to throw them on the bed, as she saw them on the floor—I do not know whether she slept in the room—there were three or four beds there—I did not get up till near twelve o'clock—I then missed my money—I went out to inquire where she lived—I was two or three hours before I could find out, and they said she was not at home—I went for a policeman, and saw one just by the Compasses, in Grosvenor-row—I took him to the house, and gave her into custody—the policeman found one sovereign and a half in her hand, in the piece of paper which they had both been; and she had most of the other sovereign in silver in her pocket—I am sure it was the same piece of paper.

WILLIAM PACK (*police-constable B* 71.) I went and found the prisoner—I have known her before as a common prostitute, for three years, her husband is a very respectable man, residing at Chelsea-market, and allows her a maintenance—I found one sovereign and a half in her hand, in this piece of paper—she was so obstinate she would not allow me to search her—a female searched her.

MARY CORNISH. I am the wife of a policeman. I was sent for to search the prisoner—I found a 5*s.* piece, three half-crowns, and one shilling in her pocket, and 6½*d.* in copper.

Prisoner. It is my first offence—I leave it to the mercy of the Jury.

GUILTY. Aged 52.—Confined Twelve Months.

629. THOMAS WILLIAM LAYTON and JOHN TOOMEY were indicted for stealing, on the 28th of January, 1 sixpence, 1 penny, 1 halfpenny, and 1 farthing; the monies of Mary Matilda Underhay, from her person.

JAMES BROOK (*police-constable L* 118.) On Sunday last, the 28th of January, I was in St. James's Park—there were a great many people skaiting—I saw the two prisoner's in company—I saw the prosecutrix—I saw them both push into the crowd, and get behind her—Layton pulled her gown up as high as her pocket, and they both went away—I asked the prosecutrix if she had lost any thing—she felt, and said she had—I then took Layton, and called another officer to take Toomey—I found on Layton 1*l.* 18*s.* 10¾*d.*—in four separate pockets.

Cross-examined by MR. PRENDERGAST. *Q.* Did you not find out that Layton's father had had a fire at his house the night before? *A.* I heard him tell the Magistrate so—I do not remember whether he said it was the night before—I did not search Toomey—Layton stated that a half-sovereign and two half-crowns belonged to his father, and the other money belonged to the other prisoner, and had been given him to mind.

CHARLES BURGESS (*police-constable L* 31.) I was on duty there—I saw the two prisoners in company—I saw them leave the back of the prosecutrix; and when they got a short distance I saw Layton give Toomey something—the prosecutrix came and said, "I have lost 7¾*d.*;" and as soon as I got Toomey's hand open, I found 7¾*d.* there—I found 2*s.* in his pocket at the station-house.

MARY MATILDA UNDERHAY. I was looking at the skaiters—I had 7¾*d.* in my pocket—I did not feel my pocket picked; but when the officer spoke to me I felt, and it was gone—I had a silver sixpence, one penny, one halfpenny, and one farthing.

Cross-examined. *Q.* What are you? *A.* I work at needlework, and live at No. 13, Greencoat-row, Westminster—I was looking at a sailor that was skaiting there.

MR. PRENDERGAST *called*

THOMAS LAYTON. I am the prisoner's father—I had a fire last Sunday morning, between one and two o'clock—I had two girls in the room, and got them out almost smothered—I gave this boy some money that was on the mantel-piece—he went to the Park between twelve and one o'clock—that was the last time I saw him.

(The prisoner Layton received a good character.)

LAYTON—GUILTY.—Aged 15 } *Recommended to mercy by the*
TOOMEY—GUILTY.—Aged 15 } *Prosecutrix.*—Confined Three Months.

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630. JAMES SKELLEY was indicted for stealing, on the 29th of January, 1 handkerchief, value 2*s.*, the goods of William Wilson, from his person.

WILLIAM WILSON. I attend a gentleman in Furnival's Inn. I was walking in Newgate-street, last Monday afternoon—I received information, and saw the prisoner walking swiftly from me—I saw my handkerchief in his hand—I felt and missed my handkerchief, and pursued the prisoner—the person who was with him tripped me up into the mud—I got up and pursued,

and took the prisoner with my handkerchief on him—this is mine—(*looking at it*)—I gave him into custody.

GUILTY.* Aged 22.—Transported for Ten Years.

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631. CHARLES BRETT was indicted for stealing, on the 2nd of February, 2½oz. weight of silk, value 5*s.*; the goods of Phillip James Chabot, his master.

SAMUEL ELVIN. I am in the service of Philip James Chabot; he is a silk and worsted dyer—the prisoner worked there—on the 2nd of February he came into the room where I was, saying he wanted some tobacco—he went to his coat, and took something out of his trowsers pocket, which I supposed to be a handkerchief—it was something yellow—he looked at it, and put it into the coat pocket—I took an opportunity of seeing what it was, and found it was 2½oz. of silk—this was about twenty minutes to eight o'clock—I told my master, and about twenty minutes to nine o'clock he was going to breakfast—my master told me to follow him, which I did, from the dye-house in Fashion-street, as far as Spitalfields-church, when I took him—the officer took the silk from him.

Prisoner. It was impossible for you to see me take this out of my pocket—it was hanging to my button when I went into the room—I did not want any one to see it, and I was determined to hide it a moment till I got an opportunity of getting to the parcel which it belonged to, and I had no opportunity of doing so—when I went to my breakfast I thought to get back in time to put it with the silk—I had no occasion to take it out of my trowsers pocket, which I must have undone my apron to do, and put it into my handkerchief, and put it into my coat pocket, when a man was there, who was likely to go to my coat pocket as well as me—I only went to my coat pocket for a bit of tobacco—I would have returned it as soon as I could. *Witness.* I saw him roll it up in his handkerchief, and put it into his coat-pocket.

GUILTY. Aged 39.—Confined Three Months.

Sixth Jury, before Mr. Common Sergeant.

632. WILLIAM LANE, JOHN JONES, THOMAS LANE, WILLIAM SCOTT, and MICHAEL COYNE, were indicted for stealing, on the 26th of January, 550 feet of veneer, value 16*l.*; and 1 truck, value 3*l.*; the goods of Alfred Rosling, to which

WILLIAM LANE pleaded GUILTY. Aged . } Confined One Year.
THOMAS LANE pleaded GUILTY. Aged . }

MR. CLARKSON *conducted the Prosecution.*

JAMES BULLOCK. I live at No. 15, Holywell-row, Shoreditch. On the 25th of January, I went to Mr. Youngman, a mahogany merchant in the Curtain-road, on business, between eleven and twelve o'clock—on going, I saw the prisoners Scott and Jones, who I knew were in Mr. Youngman's employ—Jones asked me, in the presence of Scott, if I wanted to buy a few rosewood veneers—I asked him where they were—he told me he would call in the afternoon, and let me know—at a quarter past five o'clock in the afternoon of that day, Jones called, and I went out with them about two hundred yards from my own house, round into Phipp-street—there were

wo other men there waiting, who are not in custody—I went and fetched a erson of the name of Standiwick, who worked for me—I returned with him where Scott and Jones, and the other two men were, and then Scott and ones introduced me to the other two men, to take me to the man who had he veneers—I and Standiwick, Scott and Jones, and the other two men ent near to Southwark-bridge—they took me down some steps into a public-ouse, which I have since ascertained to be the Rose and Bell—we went into e tap-room, and one of the men, who is not in custody, went out, saying e would fetch the foreman—he returned in ten minutes with William Lane —we were then in the tap-room, and William Lane proposed that we should o into the parlour, and we all went into the parlour—one of the men not in ustody said, "This is the man that has got the veneers to sell," pointing William Lane, and he asked William Lane how many he had got—Vilham Lane said, "I think I can get about four planks"—William Lane ben went out, and one of the men not in custody went with him—the nan returned, without William Lane, in about ten minutes, and he directed ne to go to the yard close by the bridge, to look at the veneers—the other nen were present, but I do not think they heard what was said—I have ince found the place to which that man directed me, and it is Mr. Rosling's—just as we were going out I beckoned to Standiwick to go out with me—the man not in custody then pointed to a gateway for me to go to, but instead of going there I went to Mr. Youngman, and gave him information of what had transpired—on the same evening, about ten o'clock, Jones and Scott came to my house, and Jones said he had put my name down, and I should have some veneers in, either at eight o'clock in the morning, or in the afternoon—Scott was with him at the time—I and Mr. Youngman went to Mr. Rosling's, and told his clerk, and we made some arrangements that I should endeavour to detect any crime that should be committed—I went to Mr. Youngman's about the middle of the next day, and saw Scott and Jones there—I told them to go and fetch the wood in—Jones asked for some money to drink, and I went to treat them at a public-house opposite—they asked me for some money to drink on the road, and I gave them 1*s.* 6*d.*—after treating them at the public-house, they left me at Mr. Youngman's yard—at three o'clock that afternoon, Jones and Scott came to me again, and Jones said there would be some veneers at my place about five or six o'clock—he said that in presence of Scott, and Jones told me not to pay the men that brought them, but to send for him at Mr. Youngman's yard—they went away, and about six o'clock Thomas Lane and Coyne came to me, bringing with them sixty-three veneers on a truck —I asked them if they had brought a bill—Thomas Lane said no, he had lost the bill on the road, but he was to take 4*l.* back for them—he did not say who he was to take it to—I had two policemen in readiness, and they took Coyne and Thomas Lane into custody—I then took the policeman to the public-house opposite Mr. Youngman's—it was then about seven or half-past seven o'clock—I did not go into the public-house, but the policeman did, and brought out Jones and Scott—we had been first to Mr. Youngman, and he had told us they were there.

Cross-examined by Mr. Prendergast. *Q.* What are you? *A.* A abinet-maker—I live in Holywell-row, about five minutes' walk from Mr. Youngman.

James Standiwick. I work for Mr. Bullock. On the 25th of January I accompanied him, between five and six o'clock, to the place where I

saw Jones and Scott, and two other men—they led us to Southwark-bridge, and one of the men, not in custody, fetched William Lane—after some explanation on the subject of the veneers, William Lane and the man who fetched him went out together—the other man came back shortly—Mr. Bullock then went out, and beckoned me—we went to Mr. Youngman and gave information.

WILLIAM TAYLOR (*police-constable M* 79.) I received information from Mr. Rosling's clerk, and went, about two o'clock that day, to Holywell-row—about three o'clock Scott and Jones came to Mr. Bullock's—Mr. Bullock went down into the shop—I was on the stairs—I heard Scott and Jones state that they would have some veneers down in the evening, between five and six o'clock, and some pine planks in the next week—at six o'clock that evening Coyne and Thomas Lane came, and brought these rosewood veneers—I stood on the stairs and heard Mr. Bullock ask if they had got the bill—they said no, they had lost the bill, but they were to take 4*l.* back—I went and asked where they brought them from — they said, from Blackfriars-bridge—Coyne said he was employed by a stout man to bring them, and he was to return back to the Cross Keys in Blackfriars'-road with the 4*l.*—I marked the veneers, and took the prisoners Coyne and Thomas Lane—there was a truck outside the door—after I had taken Coyne and Thomas Lane, I went to a public-house opposite Mr. Youngman's yard, and apprehended Jones and Scott—I did not say any thing to them—a person pointed them out to me—we put the handcuffs on them, and they asked what it was for—we did not tell them at the time, but took them to the station-house.

JAMES JENNINGS (*police-constable M* 59.) I went to Mr. Bullock's with the officer Taylor—I remained there till six o'clock, when I saw Coyne and Thomas Lane come to the house—we took them, and then went and took Scott and Jones—they asked on what charge it was—I told them it was respecting some veneers—they said, "We don't know any thing about it"—we then hired a hackney coach, and took the four to the Southwark Bridge-road, and then we went and took William Lane.

Cross-examined. *Q.* Did you hear the last witness say that he did not tell Scott and Jones what it was for? *A.* There was only one person spoke, and that was Jones—I told him what it was for, but the other officer might not hear it.

RICHARD WRIGHT. I am clerk to Alfred Rosling, a timber merchant, at Southwark-bridge-wharf. William Lane was foreman of a gang of labourers in our employ—it was his duty to hire and pay the men—Coyne was one of the men hired and paid by him—on the 26th of January I marked a number of rosewood veneers, between three and four o'clock—I had received information from Mr. Bullock—I went the same evening to Mr. Bullock's, and saw a number of rosewood veneers, about 550 feet, worth about 16*l.*—about two thirds of them are what I had marked with my own initials in pencil—I do not know Scott or Jones.

PATRICK LEONARD. I am in Mr. Rosling's employ. I know Coyne—he is a labourer there—I was sent into a loft on the 26th of January, and while I was there Coyne came in, and turned over one or two veneers—he had no business there that I know of, but he told me William Lane had sent him there—a strange man came and looked out one veneer, and I went the next day and fetched it from Mr. Bullock's—I did not know the man—he appeared to be a customer—I noticed the veneer, and knew it again—I do not know Scott or Jones—I was at work for William Lane.

ST *to* RICHARD WRIGHT. *Q.* Might Coyne have been employed by
a Lane to take property away? *A.* Never, I think.
CLARKSON. *Q.* Was Coyne employed merely for the purpose of
ng and placing timber in the wharf? A. Yes, entirely so—I can-
whether he knew his master's truck.
e's Defence. I did not know it in the dusk of the evening—I met
a Lane that evening, and he authorised me to take these to Mr.
's—I delivered them, and was taken by the two policemen—I had
s in the loft—we had some six-feet deals to go up, which was the
I went there.
ncis Emmerton gave Coyne a good character.)

E—GUILTY. Aged 24.—*Recommended to mercy by the Jury and Prosecutor.*—Confined Three Months.

SCOTT and JONES—NOT GUILTY.

JOHN BROW was indicted for stealing, on the 2nd of February, value 5*s*., the goods of Thomas Stokes.

MAS STOKES. I live in Bedfordshire, and am a wagoner. I was in
m-street with my wagon last night, and my coat was on it—I left
gon for five minutes, while I went up an inn yard, and when I came
ay coat was gone—this is it—(*looking at it.*)

PH WHEELER. I live at No. 71, Cow Cross-street. About ten
s past six o'clock, last night, I saw the prisoner coming from St.
treet, with this great coat slung over his shoulder—I went to my
s and heard something—I then went and took the prisoner.

oner. I was coming along, and picked it up—I thought to take it
and throw it on the bed—the witness and the officer came and
te.

MAS STOKES *re-examined.* My coat was on the wagon when I left—
d not fall off—I had pushed it under the hoops as tight as I could.

GUILTY.* Aged 56.—Transported for Seven Years.

. GEORGE BIRCH* was indicted for stealing, on the 27th of Ja-
l whip, value 3*s*., the goods of William Chant.

LIAM CHANT. I lost a whip, about six o'clock on Saturday evening,
ıy wagon, which was near St. Martin's church.

LIAM CARPENTER. I was near St. Martin's church on Saturday
g, at six o'clock—I saw the prisoner at the bottom of the Hay-
t, following a wagon—I saw him take a whip from the side of a
—I saw him cut it on this side Temple Bar, and he made several
ts to get it, but did not succeed till he got to the Haymarket—I
him directly with the whip in his hand.

oner. He struck me, and tore my coat. *Witness.* He made great
nce, and bit me through my coat on my arm—I hit him to make him
—he appeared to be sensible—he followed the wagon from St. Paul's
hyard—he left it about five minutes, and then came back with
r whip—he had two whips when I took him.

NOT GUILTY.

* prisoner being deaf and dumb had the evidence communicated to him by his
[illegible] not appear to understand the proceedings.

ESSEX CASE.

Before Mr. Baron Bolland.

635. PATRICK HUGHES was indicted for unlawfully, maliciou and feloniously assaulting Samuel Bush, on the 22nd of October, at W Ham, and cutting and wounding him on the left side of his head, with tent, feloniously, wilfully, and of his malice aforethought, to kill and n der him.—2nd COUNT, stating it to be with intent to maim and dis him.—3rd COUNT, to do him some grievous bodily harm.

MESSRS. BODKIN *and* BALLANTINE *conducted the Prosecution.*

SAMUEL BUSH. On Sunday, the 22nd of October, I was walking wards Stratford, in Essex, with Mrs. Wood and her two daughters—it about half-past seven o'clock in the evening—when we came to Maryla point, near a nursery, I met a man coming towards us—he was running- had no hat on—I did not notice how he was dressed—I heard him talk as he passed, but did not distinguish what he said—he was in the road, I was on the footpath—after he had passed I received a blow from some p son behind, which made me insensible—I know nothing more of the tra action—the blow was given on the left side of my head—I cannot exactly how long it was after the man passed that I received the b —it was not above four or five minutes, I believe, but I cannot say- have been attended since by Mr. Vallance, a surgeon.

Cross-examined by MR. PHILLIPS. *Q.* Was it darkish? *A.* Yes, was dark—I had never seen the person before that inflicted the injury, my knowledge—I do not know what he had on.

COURT. *Q.* Was he running fast? *A.* He was running at a great p when I saw him on the road—I did not look back when he passed, to what course he took.

SUSAN WOOD. On the Sunday evening in question I was walking w my two daughters on the road—when we got near the nursery-ground, Maryland-point, I heard a scream, as of some person in distress, in front of us, and saw a man coming towards us, running very fast—he coming in a direction from the scream—from Stratford—he was in road—he had no hat on—he passed by us, and as he passed I heard h make use of a very bad word, and say he would murder some person persons—he said "'d—— and b—— him, I will murder the b——,"— other person passed after I heard the scream—we then proceeded o few yards—I struck my foot against something, and found it was a ma hat—I picked it up—I had not advanced five or six yards at the m then—when I picked it up I looked behind me, and saw the same n turn round and come back again towards us very quick—he was the road—when he came up, he rushed past me and went up to Mr. Bu and struck him, on the left side of the head, a violent blow with fist clenched.

Q. Did you notice whether he had any thing in his hand? *A* am sure he had not—I could not perceive that he had any thing— hand was raised—it knocked Mr. Bush down, and he was quite sensible at the time—blood flowed from his head—we cried out, "M der," as, when we raised him up, there was a quantity of blood fl ing from the wound—a gentleman and two boys came up not m

than five minutes after the blow was struck—they also came in a direction from where I heard the scream—the boys turned out to be Jones and Pluckrose—I do not know who the gentleman was.

Q. What became of the hat? *A.* I was frightened, and threw it down again in the road when the man struck Mr. Bush—I do not know what became of the man—he ran towards Stratford—towards London, and I lost sight of him.

COURT. *Q.* Did he run the contrary way from that you wereg oing? *A.* No, he ran the same way as we were going, but a different way from what he had run before.

MR. BODKIN. *Q.* Did you take any notice of the dress the man wore? *A.* He was dressed in light-coloured clothes—I noticed his dress when he passed first, and also the second time—I observed his clothes both times.

Cross-examined. *Q.* Have you always described the dress the man wore? *A.* I believe I have—I do not know that I could swear it, but I have always said he had light clothes on—I was examined before the Justice, and told him so.

COURT. *Q.* When the man passed the first time, had he a hat on or not? *A.* He was without a hat, and the man who came up afterwards was without a hat.

ANN WOOD. I was with Mr. Bush and my mother on the Sunday evening in question—I remember hearing a scream, and after that I saw a man running past me—I did not see the man return, but I afterwards saw a man strike Mr. Bush—I think that was the man who had previously passed.

Q. How long after he passed you did he strike Mr. Bush? *A.* We had not proceeded above five or six yards—the man who passed had not any hat on, and the man who struck Mr. Bush had no hat on—he had light clothes on—he had a jacket, and I think it was a flannel one.

COURT. *Q.* Do you mean that you took such notice of him as to say he had a light jacket on? *A.* He had a light jacket on, but I cannot say it was flannel—he had light clothes on, I know, but I cannot say it was a flannel jacket—I saw he had light clothes on.

DAVID JOHNSON. I am a horse-patrol. I produce a hat which I received from Shepherd, an officer, about ten o'clock on Sunday night, the 22nd of October—I had seen the prisoner between one and two o'clock that day, and he had a hat of this description on—he was dressed in a flannel jacket and light trowsers, which I consider fustian—his jacket was white flannel, but dirty.

Cross-examined. *Q.* It was not a new one? *A.* It was discoloured—it was a dirty flannel jacket—the dirt did not make it so dark but I could tell it was flannel—it appeared to me dirty, as if it wanted washing—it was darker than it might be when it was new.

MRS. WOOD *re-examined.* The hat I picked up was something like this—(*looking at the one produced by Johnson*)—and the lining appeared ragged, as this does.

MR. PHILLIPS. *Q.* I suppose you have seen many hundreds of hats like that? *A.* No, I have not—I do not suppose I ever saw five of them in my life.

BENJAMIN GROUT. I keep the Yorkshire Grey public-house at Mary-

land-point, Stratford. I know the prisoner—on Sunday, the 22nd of October, he came into my house in the evening—three others came in with him—two I did not know—one is named Campbell—he came in as near seven o'clock as I can recollect, with Campbell, and the other two who I know nothing of—they all came in at one time—I am not certain whether the prisoner drank any thing—they were in there about five minutes—they had one pot of ale—some of them drank, but I do not know that the prisoner did—the prisoner had a round white hat on—I do not know that I should know it again—it was something similar to the hat produced; and I think he was dressed in light clothes, to the best of my recollection—it was something of a jacket—he had no coat on, I am quite certain, it was something of a light jacket—I cannot say what it was made of—my house is about 300 yards from the nursery-ground.

Q. Did the prisoner appear to be sober when he left your house? *A.* I think he had been drinking—they all four went out together at the same time.

Cross-examined. *Q.* Will you swear the jacket was not blue? *A.* No, I believe it to be light—I have no reason to believe it was blue—I think I can swear it was not—I believe it was white—I am certain in my own opinion it was not blue—I took but little notice of him at the time—I will not swear it was not blue, but I believe it was not—I thought he had been drinking—he appeared a little wranglesome, and by that I considered he had been drinking.

ROBERT RENWICK. I keep the Thatched House public-house, near the nursery-ground at Maryland-point, within about two hundred yards of it—the prisoner came to my house on Sunday evening, the 22nd of October last, about a quarter after seven o'clock—he was in company with a young man named Campbell—I did not observe anybody else—he did not appear to me to be sober—they were in my house about ten minutes or a quarter of an hour—they had nothing to drink—in consequence of the tipsy state he was in, I desired Campbell to take him away.

Q. Did you notice his dress? *A.* I noticed he had on a white hat of this description—(*looking at the one produced*)—I did not notice any other part of his dress—when they left my house they went towards Stratford, that is, towards the nursery-ground.

Cross-examined. *Q.* Did you take so little notice as to be unable to say whether he had a white or a blue jacket on? *A.* I believe he had a white one, but I did not notice sufficiently to be able to tell—I will not swear it was not a blue one—I took a very slight notice of him—he was very bad, reeling about—he was very much intoxicated.

Q. I suppose, from your desiring Campbell to take care of him, you were afraid some accident might happen to him? *A.* No, I was afraid he would make a disturbance in the house—he was reeling about—I would not have given him any thing more to drink if he had wanted it—I did not notice him with any stick—the hat is a new invention, called washable hats—they are very common.

MR. BODKIN. *Q.* Why did you think he would make a disturbance in the house? *A.* Because he was swearing—he was able to walk.

MR. PHILLIPS. *Q.* How long have you known him? *A.* Two or three years—I never heard any thing against him, up to this charge, for dishonesty.

Mr. Bodkin. *Q.* Do you understand the question? *A.* Yes, I do not know much of him now.

Gregory Jones. I am a twopenny post-boy. On Sunday, the 22nd of October, I had been to see my father in Essex—I was returning home in the evening with Pluckrose—we got to Maryland-point, near the nursery, about half-past seven o'clock—I saw the prisoner there—he was alone—there was nobody near him—he was going the same way as we were—we overtook him—he appeared in a state of intoxication—we bade him "Good night"—he wanted me and Pluckrose to lead him home to Well-street—we said we would not, and he said we should—we had then passed him—when we said we would not lead him home we ran away, and he ran after us.

Q. How far did he run before he got up to you? *A.* About half way to the nursery-ground—about twice the width of this Court—he then caught hold of Pluckrose, and threw him down—Pluckrose had a small stick in his hand—the prisoner drew it out of his hand, and hit him twice across the face with it, after pushing him down—I went and touched Pluckrose, and the prisoner turned round and hit me over the head with the stick, but I had a pair of spurs in my hat and they saved my head—it was a small hazel stick—we called out for assistance, and a gentleman came up and threw him down away from Pluckrose—he had hold of Pluckrose at the time—the prisoner got up, and the gentleman threw him down a second time—he then turned back towards Laytonstone, and made his escape, and the gentleman walked on along with us—the prisoner ran along, and ran past Mr. Bush as Mr. Bush met him—I cannot say how far Mr. Bush was from me—we were opposite the police-station when he was about half way along the nursery-ground—the police-station is about twice the length of this Court from the nursery-ground—we heard screams of distress, and ran to see what it was, and found two ladies picking up the old gentleman—I did not see Mr. Bush before I heard the screams, but the prisoner ran off, and we heard a scream—when we went up we found Mr. Bush, and the two ladies picking him up.

Q. Had the prisoner when he parted from you and Pluckrose gone in the direction which would enable him to meet Mr. Bush and the ladies? *A.* Yes—I did not see any other man about at that time, except the gentleman who had assisted us, and he was on forwards.

Cross-examined. *Q.* How old are you? *A.* Eighteen next May—I had never seen the prisoner before, to my knowledge—it was not a bright night—it was quite dark, but I had hold of him, and saw him in the face—I was greatly alarmed when I got the blow across the head with the stick, and I was frightened when I saw Pluckrose struck—I began to scream out.

Q. Did you take notice what kind of dress the man had on? *A.* Yes, he had on a white flannel jacket—I am sure it was flannel, for I had the sleeve of it in my hand, and he had a white hat with a round top to it—he had not his hat on when he ran away from us, but he had when he came up to us—it was knocked off in the *scrummage*.

Q. What were you doing out that night? *A.* I had been down to see a friend, and was returning home—I had dined at home—the stick I speak of was about the thickness of my little finger—we had brought it up on purpose for riding—it was a kind of switch.

Mr. Bodkin. *Q.* What became of it, did the man take it away, or was

it left behind? *A.* I cannot tell—(*looking at the hat*)—this is something like the hat the prisoner had on—it is exactly like it—it is the same kind of hat—I had hold of his sleeve, and had the opportunity of feeling as well as seeing that it was a flannel jacket he had on, and he had a light pair of trowsers on.

COURT. *Q.* Were there any lamps about that spot? *A.* Close by—they are gas lights—I was about two hundred yards from the lamp when I saw him—we were not so near that the light could give us any asssistance.

MR. BODKIN. *Q.* Was there light enough for you to take notice of his features? *A.* There was—he is the person—I am quite sure he had not a blue jacket on.

HENRY PLUCKROSE. I am a twopenny post-boy, and am between fifteen and sixteen years old. I was in company with George Jones on Sunday-night, the 22nd of October—we came up with a man who appeared to be drunk, and wanted us to lead him home—I cannot swear the prisoner is the person—he took hold of me, and gave me two strokes across the cheek with a stick, after he had thrown me down—he took hold of me directly he came up, and threw me down directly—I had not much opportunity of looking at him—he was dressed in light clothes, and had a cap on, like that produced.

JOHN THOMAS VALLANCE. I am a surgeon. Mr. Bush was brought to my house—he was bleeding from a wound on the left side of his head—it was of a triangular shape—it had had three sharp cuts—the skull was fractured, and the membranes of the brain were exposed—the wound was so dangerous that I did not expect his recovery at all—I am of opinion it must have been inflicted by a large flint—it certainly could not have been inflicted by the fist only.

JOHN COTTON. I am in the service of Barnett Isaacs, a pawnbroker at Stratford in Essex. I know the prisoner—in the week before the 22nd of October I had some clothes of his in pawn—two flannel jackets were pawned on the Monday before the 16th of October, by the prisoner—I wrote the ticket for them— they were white flannel jackets—on Saturday-night, the 21st of October, they were both taken out of pawn—I do not know whether they were taken out by the prisoner.

MR. PHILLIPS. *Q.* Did you see them taken out? *A.* No.

MR. BODKIN. *Q.* How do you know they were taken out? *A.* By the duplicate—I have the duplicate of them, and produce it—it is the duplicate that was given to the prisoner when the goods were pawned—I now find it in my master's possession, and the goods are gone.

Cross-examined. *Q.* Do you mean to say the prisoner pawned them? *A.* Yes—I wrote the ticket for them, and saw the prisoner—we cannot prove who took them out—one of them was pawned again at our shop—it is not at ourshop now, as the prisoner's brother took it out—it was not the prisoner—he was in custody.

MR. BODKIN. *Q.* When was one of them pawned again? *A.* On Monday, the 23rd of October.

(MR. PHILLIPS *called the following witnesses for the Defence.*)

PATRICK CAMPBELL. I know the prisoner—I saw him on the 22nd of October last—he had on a blue jacket, and a light pair of trowsers—it was a pair of moleskin trowsers, I believe, and it was the jacket I have now on my back—he had a striped cotton shirt, and no waistcoat—I was with him from seven o'clock in the morning until eleven that day—I met him

again in the evening, at the Thatched House, about quarter past seven o'clock—he had the same dress on then.

COURT. *Q.* What time in the evening did you leave him? *A.* About seven o'clock—he parted from me at the Thatched House—he had the blue jacket on then.

MR. BALLANTINE. *Q.* How long have you known the prisoner? *A.* All my life time nearly—I have not seen him constantly all that time—I live pretty handy to him—about 300 or 400 yards—I do not see him every day—I am a sailor—I made my last voyage about twelve months ago—I went to Spain and Portugal—I have been living in the neighbourhood ever since, and working on the Eastern-railway—I know the prisoner worked for Mr. Woodcock—I am quite positive he had not a white jacket on on this evening—nothing drew my attention to the jacket particularly.

Q. I suppose you have never been in trouble yourself? *A.* Yes, I have, for getting in *rows*—I do not know how often.

Q. How many times have you been in a Court of Justice, charged with offences? *A.* I do not choose to mention that.

COURT. You must mention it. *Witness* I have been two or three times.

MR. BALLANTINE. *Q.* How soon after the 22nd of October did you see the prisoner? *A.* I did not see him from the night I parted with him till I saw him at the Bench at Ilford—I was in his company that night from a quarter past six o'clock till after seven o'clock—about seven o'clock I parted with him at the Thatched House—I went about fifty yards from there with him towards his home, and then I returned back to the Thatched House—that was about seven o'clock—I had joined him about six o'clock, or a quarter past six o'clock that evening—I met him against Mr. Grout's house, and walked with him to the public-house.

Q. How is it that you have got that jacket now? *A.* I borrowed it from his mother one cold day when I was working on the railroad, about a fortnight back, at the time the snow was—the prisoner was then in prison—I borrowed the jacket because it was a cold day—I went on purpose to borrow a coat, or any thing—I asked her if she had any thing she could lend me—I did not have any conversation with her about her son—I knew he was in gaol at that time—I dare say he had a white jacket—he had two or three flannel jackets—I have seen him wear a flannel jacket, but not often—it is twelve months ago since I saw him wear a flannel jacket.

Q. How soon before this had you been in his company? *A.* On the Saturday previous—he had then a blue jacket, and a pair of moleskin trowsers—I saw him a day or two before, and he had a blue jacket then—I had not seen him for three months before that, as I was not in the neighbourhood—I was away from the neighbourhood about six months—I was in trouble—I have frequently seen his mother since.

COURT. *Q.* How long were you in his company on the Sunday? *A.* I met him in the morning and had breakfast with him—I met him again at eleven o'clock, and went home to dinner—I saw no more of him till seven o'clock in the evening, when we went into Grout's, and had a quart of ale—I left him about seven o'clock—I was at the Yorkshire Grey with him about six o'clock, and to Renwick's—Renwick told me to take care of him and to take him out of the house—after getting out of the house, I left him and returned.

REUBEN DEERSON. I know the prisoner—I saw him on the 22nd of

October at the point—he had on a blue jacket, a blue shirt, and fustian trowsers, rather whitish—a light kind of trowsers—it was about ten minutes after seven o'clock in the evening when I saw him—I did not see him later that evening—he generally wore a blue jacket.

Mr. BALLANTINE. *Q.* Are you a friend of the prisoner's? *A.* Yes—I do not know how long I have been so—I am quite sure he had a blue jacket on at seven o'clock—I was talking to him and observed it—I have seen him frequently before, and worked with him—he was in the habit of wearing a blue jacket—he had a white jacket on sometimes.

Q. What are you? *A.* Anything—I am a labourer just now, and when I get employment—I worked on the railroad with the prisoner—Mrs. Hughes asked me to come here to-day—she asked me last Saturday—I told her I had seen her son on the 22nd of October—I told her so on the Sabbath-day—on the 22nd of October—I saw her the next day—I did not say any thing then about a blue jacket.

Q. Had you said any thing about the blue jacket at all, till she sent for you? *A.* Oh yes; because I had heard people talking about it—I was present at the prisoner's examination—I had mentioned about the blue jacket before then, because I had heard people talking about it—they said he had a white jacket on, and I contradicted them—I heard one or two say he had a white jacket on, a week or two after the accident happened—I did not hear anybody say he had a white jacket on this particular night.

Q. How came you, then, to say a word to his mother about his having a blue jacket? *A.* I do not know—she asked if I had seen him—I said I had—she did not mention the blue jacket first to me—she asked me to go and speak for him—I said I would, and tell what dress he had on—she did not tell me what to say for him, but I had seen him in the dress.

Q. How did you know his dress had any thing to do with this case? *A.* I do not know—I did not know when I went to speak for him that his dress had any thing to do with this case, but the people kept saying he had a white jacket, and I said he had a blue one—I did not know his dress had any thing to do with the case—I do not know who asked me to speak about his dress—I spoke about it because I was fetched up by Mrs. Hughes—she did not say any thing to me about the jacket—I have been living near to Mrs. Hughes a long time, but not a word has passed between us about a blue jacket.

Q. Then when you got into the witness-box to-day you knew nothing at all about the effect the blue jacket would have on the case? *A.* I do not know—no; I did not know what effect it would have—I did not know what use it would be to the prisoner—I did not know whether it would be of any use to him or not—nobody told me to come here.

ANN COLLETT. I live at Stratford. I know the prisoner—I saw him on the 22nd of October, about a quarter past seven o'clock, facing Mr. Grout's, at Maryland-point—he had a blue jacket, a blue shirt, and light trowsers—I did not see him again that evening.

MR. BALLANTINE. *Q.* Was he drunk or sober at that time? *A.* He had had a little to drink—he was able to walk well—I do not know whether he was able to run—I came here to-day to speak for the prisoner—to tell that he had a blue jacket on.

Q. How came you to think that telling he had a blue jacket on would do him any good? *A.* I did not think any thing at all about it—I came here to speak truth—I saw him in a blue jacket—I met him, and I was not with him above a minute—he did not ask me to notice what jacket he had on—his mother asked me to come here to speak the truth—she said, "Will you come to the Court, and speak truth about Patrick Hughes?" those were her words—I told her what I should say, that I should speak the truth—that was all I told her—I told her about the blue jacket—I told her I met him with a blue jacket—I went to her—she had not sent for me—the first I said to her was, that I met him at such a time, with a blue jacket on—he did not lodge with her at the time, and she did not know what he had on—she did not tell me so—I do not know whether she knew or not, what he had on.

Q. Did you say you met the prisoner on such an evening with a blue jacket, before she said any thing to you? *A.* No—she asked me what time I met him, and whether I saw him—I said I did see him at a quarter past seven o'clock—she asked me would I go up—I had said nothing about the blue jacket when she asked me to go up—not till I came to my own mother's—she had not said a word to me about the jacket—I have come of my own accord to speak for him—his mother did not ask me to come—she did not make any reply when I told her he had a blue jacket on.

Q. Did you know it made any difference to him whether he had a blue or a white jacket? *A.* I should have thought it did, because they swore that he had a white jacket—I heard them say so—I heard Johnson say so to the Bench—I was present at his examination before the Justice—I did not give evidence there—I was not called up at all—I do not know how soon after the examination it was that I saw his mother—it was the same day—I had no conversation about him that day—I did not say a word about what had just passed before the Magistrate—not a word was said about the jacket at that time.

Q. You did not think it necessary to tell his mother you had heard a witness swear he had a white jacket, and you knew he had a blue one—perhaps you did not remember it at that time, was that it? *A.* I suppose it was—I mentioned it after we came home from Stratford to Mrs. Hughes, and she asked me to come here and speak the truth—she did not ask me to come and state about the jacket—I told her I would come and speak the truth myself—that was all.

COURT. *Q.* What called your attention to the prisoner's dress that night? *A.* I met him—I do not remember the dress of every man I meet, but I was talking to him, and I had seen him in the day-time—it was on a Sunday evening—I did not notice his hat.

MR. BALLANTINE. *Q.* Do you know Campbell? *A.* Yes—I did not see him at the same time—Deerson walked up with me—I did not mention the jacket to him.

GUILTY of an Assault only. Aged 22.—Confined Three Years.

KENT CASES.

Before Mr. Recorder.

[illegible]. FRANCIS HAND was indicted for stealing, on the 2nd of

January, 3lbs. weight of wheat, value 6*d.*, the goods of Samuel Jeffryes, his master.

SAMUEL JEFFRYES. I live at Well Hall, at Eltham. The prisoner was employed by me to thresh wheat—I did not find any wheat on him myself—Rainsley, the horse patrol, did—there had been some barley threshed in the same barn—it is possible to identify so small a quantity—it is difficult to miss corn from my premises, but a great deal has been missed.

Cross-examined by MR. PHILLIPS. *Q.* I believe you had the prisoner taken before Mr. Latham, the Magistrate at Eltham? *A.* Yes—I do not believe he discharged him—he remanded him—I believe he did not discharge him—he was never out of custody—Mr. Latham remanded him to Woolwich, and ordered me to attend there—I had had the man who worked in the same barn taken up—the prisoner worked for me that day.

JOHN RAINSLEY. I am a horse-patrol. In consequence of information I received, I stopped the prisoner as he was coming from his employ in the field between Eltham and Well Hall, about one o'clock in the day-time—I searched him, and found on him a little bag, containing about 3lb. 8oz. of wheat—I gave it into the hands of Petro, with the prisoner—I then went and searched his house, and found a bushel of wheat, which he said his family had gleaned—this was on Tuesday, the 2nd of January—he was coming in a direction from the prosecutor's when I stopped him.

Cross-examined. *Q.* Did not he say it was what he had for his pigeons? *A.* Yes; poor people are in the habit of leasing and gleaning about the fields—I have known the prisoner twelve years—I do not know of his living with Mrs. Smith, of Chadwell-street, Middleton-square, but I have known him in respectable service—I never knew any charge of dishonesty against him.

COURT. *Q.* There was no gleaning on the 2nd of January? *A.* No.

MR. JEFFRYES (*re-examined.*) I have compared the wheat found on the prisoner with that in my barn, and they correspond—there is a mixture of barley in the sample found on the prisoner, and the sample from the barn, but in a very small quantity—barley had been threshed previous to the wheat—I have sufficient knowledge of corn to say that the wheat is the same growth and appearance as mine in every respect—I am able to say with certainty that it is part of the same wheat.

MR. PHILLIPS. *Q.* You would swear to it if you saw it one hundred miles off, would you? *A.* I do not know that—I should have great difficulty in swearing to it then, but not under these circumstances—he was at work that day at my house—he passed me as he went to dinner, two hundred yards from my barn—he has been a month in prison.

NOT GUILTY.

Before Mr. Sergeant Arabin.

637. JOHN HOARE, WILLIAM FABLING, and RICHARD FABLING, were indicted for stealing, on the 23rd of January, 5lbs. weight of lead, the goods of John Humphries, and fixed to a certain building; against the Statute, &c.

JOHN HUMPHRIES. I am a market-gardener, and live at Plumstead, in Kent. I rent a cottage there—the lead in question was taken from the cottage—I did not miss it till the officers brought it to me, this day week—I looked at the roof of the cottage then, and found it stripped of the lead,

about 56lbs—I know the prisoners, they live very near me, and are cottagers—labouring men.

WILLIAM THOMAS CHITTENDEN. I am a policeman. On Tuesday, the 23rd of January, about seven o'clock in the evening, I was on duty in Woolwich, and received information—with the assistance of my brother officers, I went and found the three prisoners in the New-road, Woolwich, all three together—I took William Fabling into custody, and on him found these two pieces of lead—I told him that I took him into custody on suspicion of stealing it—he said he supposed so—I took him to the station-house, searched him, and found on him a knife—the lead appeared to have been cut, and the knife appeared to have cut lead—he stated at the station-house that he had found the lead—next morning I went over to Plumstead, and found the lead had been taken from an uninhabited cottage there—I found the whole of the covering of the shop-front and door gone—I compared the lead with the places, and it tallied exactly—there was 56lbs. —my brother officers took the other prisoners—they were with me—Warden took Hoare—Richard Fabling ran away, but was shortly afterwards taken.

CHARLES STEWART WARDEN. I am an officer. I was with Chittenden when the prisoners were seen in New-road—Chittenden apprehended William Fabling—I went up to Hoare and said to him, "What have you got here?"—he seemed rather bulky—his smock-frock stuck out—he pulled his smock-frock up, and these two pieces of lead dropped from under it—this was about a mile from Plumstead—it was about seven o'clock in the evening—I said I should take him on suspicion of stealing —he said he supposed I did think so—I took him to the station-house, and on searching him found a knife in his pocket—I cannot say whether it had cut lead—I fitted the lead next morning to the premises, and it tallied exactly—he said he picked it up—Richard Fabling ran away when we took the other two—when I first came up to them they were standing still, near a marine store dealer's, right opposite the door—I know such shops buy lead.

JOHN ALSFORD. I was with the witnesses, and saw Richard Fabling—he ran away for some distance—I followed him a little way, and then returned to Warden and Chittenden—in about twenty minutes I saw Richard Fabling again in Plumstead-road—he saw me and ran away again, but I followed, and took him into custody—he said he would go with me.

Richard Fabling. *Q.* Did you see me in Plumstead-road? *A.* Yes, it is the road leading to Plumstead.

Hoare's Defence. I was walking across the common on Tuesday morning—there was a little bag containing the lead—we were all three out of work, and in search of employment—we picked it up, and took it to Woolwich.

Richard Fabling's Defence. I was walking up Plumstead Common, and saw the lead lying in the bag—I took it up, being out of work some time, and had nothing to eat—I meant to sell it to make a shilling of it.

MR. HUMPHRIES *re-examined.* I have known them all from childhood —they have worked for me as labouring men, and bore very good characters.

HOARE—GUILTY. Aged 28.
RICHARD FABLING—GUILTY. Aged 21.
WILLIAM FABLING—GUILTY. Aged 23.
} *Recommended to mercy by the Prosecutor.*

Confined Six Months.

Before Mr. Recorder.

638. WILLIAM MAYBROOK was indicted for stealing, on the 15th of January, 1 coat, value 3*l.* 10*s.*; 1 printed book, value 2*s.*; 1 handkerchief, value 3*s.*; 1 snuff-box, value 1*s.*; and 1 pocket-book, value 1*s.*; the goods of Henry Holding.

HENRY HOLDING. I am a tailor and draper, and live in London-street, Greenwich. I lost a coat out of my shop, and the policeman brought a handkerchief and snuff-box to me, which I recognised to be my property —in consequence of what the policeman stated, I preferred this indictment against the prisoner, as the handkerchief and snuff-box were in my coat pocket, with a pocket-book—the coat was worth 3*l.* 10*s.*—Wild the policeman produced the handkerchief to me, and Dyke the snuff-box—I know nothing of the prisoner.

JAMES WILD (*police-constable R* 141.) On Monday, the 15th of January, Mr. Holding came to the station-house, and said somebody had stolen a great coat from his shop, with a handkerchief, snuff-box, and pocket-book in it—on the following Friday, the 19th, I had occasion to go before the Magistrate at Deptford, and saw the prisoner handcuffed, going to Newgate—I saw this handkerchief round his neck, and asked him where he got it from—he refused to answer me—I said I should take it, as I knew the owner, and asked him where the coat was, which he took the handkerchief out of the pocket of—he made no answer—I took the handkerchief to Mr. Holding, who claimed it.

Prisoner. I told him I bought the handkerchief. *Witness.* He did not, he refused to answer any questions.

WILLIAM DYKE. I am a policeman. I apprehended the prisoner on the 18th, at Deptford, for stealing a coat—I found the snuff-box and the handkerchief, which was taken off his neck, on him—I was told by the Magistrate to give him the handkerchief to put round his neck, as he was about to be conveyed to Newgate—I produce the snuff-box—he was taken about ten minutes' walk from the prosecutor's.

MR. HOLDING *re-examined.* This snuff-box is mine—I know it by a hinge being broken, and I know the handkerchief by a stain on it, which I made myself—I missed the property on the Monday—I had not seen the prisoner near my house.

Prisoner's Defence. I know no more about the coat than the inkstand here—I bought the handkerchief three months ago, and wore it at Sheerness, where I came from—I belonged to a twenty-eight gun ship—I had three weeks' leave to visit my parents—I got in liquor, and having got to Deptford, I would not come to town, fearing to be taken up for intoxication—I had some porter, and half an ounce of tobacco—a young man came up to me and said, "Are you going to sea?"—I said, "Yes"—he said, "Here is an article I am going to part with, and have but a shilling to take me on my road to the country, it will be of service to you," and I gave the man 16*s.* for a coat—I lost my way coming out of Deptford, and asked the policeman to show me the way to the Navy Arms, which is near where the coat was taken from—as to the handkerchief round my neck, the man that wove that might weave hundreds—I bought it three months ago—the snuff-box was given me by one of my shipmates, on board the *Carlisle*, at Sheerness.

MR. HOLDING *re-examined.* I made the stain in the handkerchief about

a fortnight back—I saw it last in my possession on Sunday the 14th—I had it round my neck—it could not have been sold three months before.

GUILTY. Aged 19.

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639. WILLIAM MAYBROOK was *again* indicted for stealing, on the 18th of January, 1 coat, value 21*s.*, the goods of James Matthews.

JAMES MATTHEWS. I am a tailor, and live in High-street, Deptford. I lost this coat on the 18th of January, from my shop, between half-past four and five o'clock in the afternoon.

WILLIAM DYKE (*police-constable R* 100.) I stopped the prisoner on the 18th of January, about a quarter to five o'clock, in the Lower-road, going to London from Deptford, about half a mile from Mr. Matthews' house—he had this great coat on—he asked me the way to the Navy Arms, which I showed him—in about five minutes afterwards I heard Mr. Matthews had lost a coat—I immediately went to Durham's, the pawnbroker's, and told them if a coat was brought there to stop it—I went to the Navy Arms, where I had left the prisoner, and he was gone—I then went to Durham's again, and stopped him offering it in pawn.

Prisoner's Defence. I told him I bought the coat of a man going into the country for employ—I had but 1*s.* 6*d.*, and that it was not sufficient to pay my lodging—I thought I would leave it in pawn till I came back.

GUILTY.* Aged 19.—Transported for Seven Years.

(There was another indictment against the prisoner.)

Before Mr. Recorder.

640. MARY ANN DAVIS and WILLIAM BROWN were indicted for stealing, on the 22nd of December, 1 watch, value 15*s.*; 1 watch-guard, value 2*d.*; 1 watch-ribbon, value 1*d.*; and 1 watch-key, value 2*d.*; the goods of John Smith.

JOHN SMITH. I am cook of the ship *Maria Brand*, which laid in the Thames, at Deptford. On the evening of the 22nd of December I met the prisoner Davis at the Red Cow, in King-street, Deptford—the prisoner Brown was in her company in the house, and I drank with him—Davis took me to a house, a few steps from the public-house, in the same street, New-street—Brown followed us—I went up stairs with the woman—Low, another female, was there—she went out of the room, leaving me and Davis together—I pulled the watch out of my waistcoat pocket—we went on the bed, and I laid my watch on the table—there was a piece of candle in the room, but it burnt out—I called for another—Davis got out of bed to go down stairs to get another light—I got out of bed after her, and felt on the table and missed my watch—she wished to go down for the light—I objected to her going, and said I would go myself—I stopped at the door till a lady brought the light up—I insisted that they both should remain till I went down and got a policeman, which I did, and he took them in charge—they were discharged.

Q. When Brown followed Davis, as you went along, could you observe whether they talked together? *A.* Yes—I have since seen my watch in the hands of a policeman.

MARY ANN LOW. I lodge in New-street, in the same house as Davis—

on the 22nd of December she came to me for a light, and I gave her one —the prosecutor came into my room—he afterwards called for a light—I went up with one, and met Brown running down stairs with his shoes in his hand—when I got up I found the prosecutor holding Davis, and complaining that he had lost his watch—it was not found in the room.

Brown. I had my shoes on. *Witness.* No, he had them in his hand.

MARY STAPLES. I am a married woman, and live in King-street, Deptford. I know the prisoner Davis—I met her on the evening of the 26th of January, and bought the ticket of a watch of her for 1*s.* 6*d.*—I bought it for my son, and gave it to him.

JOHN STAPLES. I bought a pawnbroker's duplicate for 1*s.* 6*d.*—my mother gave it to me, and I gave it to my wife—I gave her money to redeem it—she afterwards produced to me a silver watch, which I gave to Conner, the police-constable.

MARY STAPLES. I am the wife of the last witness. I went to Mr. Rosier's shop, in Tooley-street, with a duplicate which my husband gave me—I paid 8*s.* 1¼*d*, and received the watch, and gave it to my husband.

JAMES CONNER (*police-constable R* 191.) I produce the watch which I got from John Staples.

JOHN SMITH *re-examined..* This is the watch I lost.

JOSEPH NIMWICK ROSIER. I am a pawnbroker, and live in Tooley-street. This watch was pawned at our house on the 23rd of December, and redeemed on Friday last—it was pawned by a man, in the name of "William Brown, lodger, No. 3, King-street"—I have seen the prisoner Brown at my house—whether it was on that occasion, I cannot say—I cannot take on myself to say whether he is the person—(*looking at his deposition*)—this is my handwriting—I have no recollection whether he is the person—the Magistrate asked if I had seen him—I said he might be the person, but could not positively say—I never said I believed he was the person—(*the deposition being read, contained the following sentence, "A silver watch was pawned at my shop by a young man who I believe is the prisoner William Brown"*)—I did not positively say it was him—I said I had seen him at the shop, but could not positively say it was him—I might have said I believed it was him—I have seen such a person at my house—whether it was him I cannot say.

Q. You are represented as having said you believed it to be the prisoner? *A.* I said I had seen him at my house, but whether on that day I would not positively say—I said it might be him.

BENJAMIN LOVELL (*police-constable R* 15.) I apprehended the prisoner Brown—I was looking for him ever since the 22nd of December, and took him last Sunday night—I told him I wanted him about a watch stolen from New-street—he said he knew nothing about it, nor had he been at the house—I took the woman the same night—she said she had been discharged once for it, and knew nothing of it.

DAVIS*—GUILTY Aged 20.
BROWN—GUILTY. Aged 17. } Transported for Seven Years.

Fifth Jury, before Mr. Common Sergeant.

641. JOHN NORTON was indicted for embezzling, on the 1st of January, the sum of 9*d.*; on the 2nd of January, the further sum of 9*d.*;

and on the 3rd of January, the further sum of 9*d.*; the monies of Joseph Simpson, his master.

The prosecutor and witnesses did not appear.

NOT GUILTY.

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642. WILLIAM GLOVER was indicted for stealing, on the 19th of November, 1 iron trough, value 5*s.*, the goods of Josias Stanfield.

The prosecutor and witnesses did not appear.

NOT GUILTY.

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643. ROBERT JOY and RICHARD DYBELL were indicted for stealing, on the 26th of December, 2 bushels of flour, value 1*l.*, the goods of Henry William Parsons, the master of Robert Joy.

HENRY WILLIAM PARSONS. I am a baker, living in High-street, Woolwich. Joy was in my employ—Dybell was in my employ for about one hour—two days after Christmas I missed one sack of flour—I and my father asked the boy about it—his name is Thomas Farley—I went for an officer, and apprehended Dybell, who was in bed, and took him to the cage—I did not find any flour—all I know is, I lost some flour—I lost a great deal before—I had spoken to Joy—he said he was sorry, and should be glad to assist me in finding it out—a sack contains five bushels.

Cross-examined by MR. PHILLIPS. *Q.* When did you miss the sack of flour? *A.* Two days after Christmas—I have indicted them for two bushels, but I missed a sack—the two bushels formed part of the sack I missed—I fully understand the question—I missed the sack containing five bushels all at once—I had seen Dybell a great many times—I know him no more than seeing him come to my house—I have drank with him—I went into a public-house, and he was there and I drank with him—I borrowed a dog of him—I do not know exactly how long I had the dog under my truck, perhaps it was two months—Joy borrowed it first, and I kept it after it was brought to my place for trial—I never saw Dybell at my house but two or three times—I had frequently missed flour before—I think I had Farley in my employ for four months—during that time I lost things, and could not make up my money—I never told them I had missed flour—I never missed any flour, but I took stock every Sunday, and could not make up my flour—there were one or two sacks missing—I reckoned up what I had wetted, and could not make it up—I missed bread or flour from the place—Farley gave me the information—I did not take him up—I did not speak to anybody about missing flour before I heard this from Farley—his father lives in the Kent-road, I believe—I asked Farley about this—I have no reason to suspect that he was a party in robbing me before this, or joining in or witnessing robberies—I heard him give his evidence before the Magistrates—I believe he robbed me of bread, but I only know it from himself.

THOMAS FARLEY. I am an apprentice to Mr. Parsons, and have been so for three months. About seven o'clock in the evening of Tuesday, the 26th of December, Joy and Dybell were in the bake-house—Joy was going to put the sponge in, he took half a sack of flour, and put that into the trough, (that was the proper place for it)—he took another half-sack, and put part of that in, and then he put about two bushels on Dybell's back, in the sack, and Dybell borrowed my cap to carry it with—he went away with the flour, which was about two bushels—I saw that—Joy told me not to

say a word about it—I did not say any thing—I got my cap back in a quarter of an hour—a man came back for Dybell's hat, and brought my cap—his name was Garratt—he is not in custody—I told my master the next day, directly he asked me—I also told him I had stolen some loaves of bread—that is all I know about it.

Cross-examined. *Q.* How often did you steal from your master? *A.* Twice—it was before I saw the flour taken—Dybell was never in my master's service—he moulded the batch in the other day.

MR. PHILLIPS *to* HENRY WILLIAM PARSONS. *Q.* Had you hired Dybell at all? *A.* Joy hired him to work for me for one hour—I did not hire him—Joy went out to get him.

MR. PHLLLIPS *to* THOMAS FARLEY. *Q.* How long had you been in the prosecutor's employ? *A.* About three months—I never knew of any flour being taken before this—I cannot say how long after I got into the employ it was that I stole the bread—I was new to it when I went to my master's employ—about two months after I went to my master's service, Joy asked me to give him some bread down the back way—he served it amongst the customers—I stole about six half-quartern loaves the first *go*—I do not know how many—it was not as many as a dozen—I did not count them—I did not tell, because there were threats held out against me—two or three days after he asked me to get him some more—I then stole nine halves—I cannot say what day of the week that was—I think it was on a Saturday—the first number I stole was six halves, and the second nine halves—I never said it was three or four quarterns—I never said that I stole any more—I never stole again—I do not know what month it was when I stole the first—Joy served them among the customers—I did not take them for the mere pleasure of stealing them—he gave me 3*d.*, that was all—I got no money the second time—that was not for the mere pleasure of stealing them—he said he wanted them to serve among the customers—I knew I was doing wrong—I have said that "I first gave three quarterns to a certain man about three weeks ago, I gave about three or four quartern loaves to a man, and about three weeks ago, I gave six half-quarterns to a man."

Q. That being the case, how came you to tell me you only stole twice? *A.* I forgot it—I have never been in prison—I was put in confinement for a week at the station-house at Woolwich—I was ordered there by the Magistrate—I do not know whether that was on Mr. Parson's charge—I was told that I should not have any communication with Joy and Dybell—I have a father alive—I cannot say whether my master made any charge against me of stealing—he charged me with robbing him—I know he did—he charged me the first Friday after they were taken up—when you asked me first, I forgot that he charged me—I do not know what put me in mind of it.

JOSEPH BUTTERFILL. I am an officer. I took Dybell in his bed.

Cross-examined. *Q.* You saw no flour? *A.* I did not.

GEORGE THOMAS MARTIN *being called did not answer.*

JAMES BAKER *being called did not answer.*

Joy. Baker had money to supply us with counsel, and he ran away with it.

NOT GUILTY.

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644. JAMES MORRIS was indicted for stealing, on the 9th of Janu-

ary, 1 sheet, value 1s. 3d., the goods of John Baker; and 1 pair of boots, value 4s., the goods of Mary Ann Smith.

JOHN BAKER. I live at Deptford. Smith is a lodger of mine—I know the prisoner—he asked me to let him lie down, on the 9th of January, and I showed him up stairs to the room where Smith sleeps—he laid down, and then came and drank with me—after that Smith missed a sheet—I was not there.

Cross-examined by MR. CLARKSON. *Q.* Is that the sheet there? *A.* Yes—there is no mark on it—I can swear it is mine—we have only one like it in the house—we have sixteen or seventeen pairs in the house—I take in lodgers—my house is near Moss-buildings—Miss Smith has lodged two years with me—I know her very well—William Pearcy lives with her now, who came home from sea—I do not know how Miss Smith gets her living—I do not know how long she has been living with this man who has come from sea—there are three rooms in the house—I have two houses—I cannot say how many lodgers I have—I have about fourteen beds—I let them out by the night, double or single, as they come—I am married—I have no children—my wife lived with me—my wife is dead—I am an Englishman—a woman lives with me—I cannot tell how many women are in these houses—I know the sheet is mine—we have only one more like it—none of my linen is marked—I have got about seventeen pairs of sheets—I did not count them before I came—I know this is mine—I have heard of the name of *Bet* Low, but that is not her name—I never went by any other name than that of Baker—never in my life—when the prisoner came into my house it was about one o'clock in the day—it might be a little after—*Bet* Low was sitting in the farther room, with two or three more men and women—Miss Smith sometimes goes by the name of *Bet* Low—the prisoner had been drinking—I went with him to a public-house while he was in possession of this very sheet and boots, but I did not know he had them on him—he left my house between two and three o'clock—the woman missed the boots, and followed, and gave him in charge—I have no partner in the two houses—I pay the rent for them myself.

MARY ANN SMITH. I live at this man's house. I lost a pair of boots—they were under the bedstead where I slept—when I went out of the room I left them there—I was not out—I was in another room—these are mine—I left them under the bed—they were mine—my money paid for them—I have not the slightest doubt of their being mine.

Cross-examined. *Q.* What is your name? *A.* Mary Ann Smith—I have had two names—my married name and my maiden name—my maiden-name is Hamilton—they are the only names I have, only some people call me by a nick-name—the name of Low—I have been married—my husband is dead—this is a lodging-house for travellers—I swear that—I live there constantly—I have made it my home going on for two years—I have lived with a young man for eight years, except when he is at sea—he allows me half-pay, and I do needlework—I have a bed there, but the room is not altogether mine—there are four more beds in the room—they are married people.

GEORGE STEWART (*police-constable R* 145.) I found these shoes in the prisoner's breast.

Cross-examined. *Q.* Had they not been taken from him before you

came? *A.* Not before I took them from him in the station-house—he was not what you may call drunk—I know he had been drinking—he was a little tipsy—it was about half-past two o'clock—I asked him if he had got the boots, and he denied it—I found something in his breast, took him to the station-house, and found them.

WILLIAM DYKE (*police-constable R* 100.) I found this sheet round the prisoner's loins—he said it was what he generally wore to keep his loins warm.

NOT GUILTY.

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645. JAMES GRIGGS was indicted for a misdemeanor.

MESSRS. DOANE and JERNINGHAM *conducted the Prosecution.*

CHARLES DICKENSON. I reside at Greenwich, and am a grocer, in the employ of Mr. Mitchell. On the 28th of December the prisoner came and asked for a quarter of an ounce of tobacco—it came to a penny—he put on the counter a bad shilling—I bent it, and told him it was bad—he said he thought it was not—I took it into my hand, and called my master—I gave the shilling to my master.

THOMAS MITCHELL. I live at Greenwich, and am a grocer. I received this shilling from the witness, on the 28th of December—I gave it to the officer—I asked the prisoner from whence he came—he told me he resided at Deptford—I questioned him as to how he got his living—he said, "By selling fish or hearth-stones"—I gave him to the policeman, with the shilling.

SAMUEL EAST (*police-constable R* 156.) I took the prisoner on that occasion, and have the shilling which I got from the last witness.

SOPHIA TOWNSEND. My husband keeps a pastry-cook's shop at Woolwich. On the 30th of December the prisoner came for a penny cake—I served him—he gave me a shilling—I put it into the till, and gave him 11*d.*—it was not taken out of the till before night—there was no other shilling in the till—there were sixpences and halfpence—I bit it at the edge before I put it into the till—Bonniface, my son-in-law, came to the till afterwards, and he took the same shilling and put it on the shelf.

WILLIAM HENRY BONIFACE. On the evening of the 30th of December, I went to the till, and saw a bad shilling there—I put it on the shelf, and after that I gave it to the officer.

ELIZABETH BARTLETT. I live at No. 22, Richard-street, and am the wife of Thomas Bartlett, a pork-butcher. On the 30th of December a lad came to my shop—I cannot swear it was the prisoner—he asked for a penny saveloy—he put down what I supposed to be a shilling—I took it to the gas, and thought it was a bad one—I bit it and gave it to my husband.

THOMAS BARTLETT. I am the husband of the last witness. I got this shilling from my wife, but I did not see the boy's face—I went to the door and saw a boy running from my door—I saw a policeman, and gave him a description of the boy—I was sent for the same night to the police-station, and saw the prisoner, who I believe was the boy who ran away—I put the shilling into my left-hand waistcoat pocket, and gave it to the officer—I have not a doubt the prisoner is the boy, but I never saw his face, and would not swear he is the boy.

CHARLES STEWART WARDEN. I am a constable of Woolwich. On the 30th of December I received information from the last witness, and apprehended the prisoner—I took him to the station-house, and searched him,

NN WHEELER was indicted for stealing, on the 26th of De-
shawl, value 5*s.*, the goods of George England.
NGLAND. I am the wife of George England, and live in the Edge-
. I went to Greenwich to spend the Christmas at Mrs. Ayres's
er friend—I had a shawl, and lost it on the 26th of December—
shawl.
AMBROSE. This is the shawl the policeman took out of the pri-
K—I do not know where she lodges—the prisoner brought the
herself—I saw the shawl taken out of the box which the pri-
ght to me on the 27th of December.
VILD (*police-constable R* 141.) The prisoner had been committed
er trial at Maidstone, and from circumstances which occurred, I
box was at Mrs. Ambrose's, and there I went and found the
prisoner was taken from Mrs. Ayres's, the landlady of the Red
re the prosecutrix was.
. I found it in the passage—I do not know any thing of it.
NGLAND *re-examined.* I do not know that I dropped the shawl
came to dress in the morning I could not find it.
GUILTY. Aged 19.—Confined Six Months.

SURREY CASES.

Before Mr. Sergeant Arabin.

CHARD JOHNSON was indicted for stealing, on the 25th of
shawl, value 1*s.*; and 1 coat, value 11*s.*; the goods of John

immediately called in a policeman—I gave him in charge for robbing me of my shawl and coat—this is my shawl—(*looking at it.*)

Prisoner. Q. Did you see me take the shawl? A. No—you offered it to me for 1*s.*, and to another man before I came in.

JURY. Q. Have you any mark on it? A. No further than the wear of my beard—I am positive it is mine.

ROBERT CLARK. I am a policeman. On the 25th of January the prosecutor came across to me—I went into the beer-shop, and secured the prisoner—I took the shawl from his hat.

EDWARD ELLIOTT. I am a policeman. Between four and five o'clock, on the 25th of January, I was on duty in the London-road, and saw the prisoner go into the Prince of Wales public-house, with a great coat on, and this shawl on his neck—I went in and had some beer, and said to him, "*Dick*, what have you been at?"—he said, "I am driving a *cab* now"—I said, "Where is your *cab?*"—he said, "It is on the stand, I shall take it home"—the great coat was rather dirty, and had a velvet collar.

Prisoner. I bought the shawl of a *cab*-man.

GUILTY.† Aged 22.—Transported for Ten Years.

Before Mr. Serjeant Arabin.

648. GEORGE ATFIELD and WILLIAM GEORGE WARD were indicted for stealing, on the 19th of January, 18lbs. weight of beef, value 9*s.*, the goods of Stephen Abraham Lamb, their master.

THOMAS WINCH (*police-constable M* 140.) Last Friday night week I was in company with another officer—I passed by the prosecutor's shop, which is near the Alfred's Head, at the end of London-road, about a quarter-past ten o'clock—as I was passing by I saw a dog eating something—I turned my lantern on, and found several joints of meat concealed under some straw under the shop window—the shutters were put up—the meat was on the pavement—in about five minutes I saw the two prisoners come out of the shop, and look up and down, as if looking for somebody opposite—Atfield asked me if I had seen *Carotty Jack*—I think they knew me—they were Mr. Lamb's servants—when I returned, there was a third person in their company—I went to the Alfred's Head, and remained there some time—they all three kept walking up and down for three quarters of an hour, and then went into the Alfred's Head—I informed a brother constable of it, and saw them looking now and then outside the door, to look for somebody—the third person passed us several times, and joined them in the Alfred's Head—we went into an opposite shop; and in about ten minutes the third man ran by, and not seeing us he went to the Alfred's Head—they all three came to Mr. Lamb's shop; the prisoners stood before the third man, and concealed him with their aprons, while he took the meat—we ran across, and the man dropped the meat, and I took the two prisoners into custody—the meat was shown to Mr. Lamb afterwards—I believe the third man got from my brother officer.

Cross-examined by MR. DOANE. Q. The dog first attracted your notice? *A.* Yes—the third man came up and joined them, and took the meat—the meat was under the straw, under the window—it would not be seen by any body in the street, as there is a step projecting, and a person passing would not come against the meat—neither of the prisoners had the

their possession; but they stood before it, concealing the man while it up.

id you see the men come out? *A.* Yes—I had my eye on them I first saw them I was not a dozen yards from them—it was ht—I could see them well—I never saw them with the meat—the n took it, an hour and a half after they first came out—I had con- yself for the last half hour.

AD ELLIOTT (*police-constable L* 111.) I was with Winch—he has story quite correct—I was concealed with him in a passage, and I saw prisoners come down with a third person—the prisoners stood with cks towards the window, while the third man took the meat up ted away—he then ran away—I pursued after him—he dropped , and ran down Newington Causeway—I got hold of the tail of his said, "For God's sake leave go of me"—my foot slipped against nd he got from me, it being slippery weather.

-examined. Q. You could see the third man take the meat? *A.*

EN ABRAHAM LAMB. I am a butcher. The meat in question was me, and I knew it to be mine—there were three pieces of beef, piece of mutton, twenty-one pounds altogether—the prisoners were ny service as journeymen—I had opened this shop only a week— not been longer in my employ—I had another man and a boy, slept in the house—the prisoners slept out of the house—I had a old, and had gone to bed, desiring them to shut the shop up—the n rang me up in the middle of the night.

examined. Q. Was not the straw put there on account of the of the weather? *A.* Yes—it was put there by my directions—I eat deal of meat in my shop—meat of all kinds.

n you take on yourself to say, beyond all question, that this meat r in your shop at all? *A.* I will take my oath I bought it at all-market, and Smithfield—I can swear to it—I bought four quarters at Leadenhall-market, of Mr. Stiff, a wholesale butcher—I am by the quality of the beef, and all the general appearances—the cut into quarters, and offered in my shop for sale, perhaps, the day e robbery—Mr. Stiff has an immense quantity of the same sort of had no mark on this—this was the last Mr. Stiff had of this sort not think he had sold a great deal of it—I will swear I never of what was stolen—I sold none of that part—I had sold some I bought of Mr. Stiff, but none of what was stolen.

Q. Do you believe it is your beef? *A.* I do—I can swear to not miss any when my attention was called to it—we had sold pieces—I did not look round, being ill in bed, and next morning I to market—I am satisfied it is my meat.

prisoners received good characters.)

FIELD—GUILTY. Aged 23. } Confined Three Months.
ARD—GUILTY. Aged 24. }

Before Mr. Sergeant Arabin.

HENRY HARDING was indicted for stealing, on the 4th of 1 box, value 1*s.*; and 70lbs. weight of metal type, value 7*l.*; Godfried Schroeter Tenten.

JOHN GODFRIED SCHROETER TEUTEN. I am a printer, and live in Regent-street, Newington. The prisoner assisted me in moving and putting my things to rights, for three weeks—during that time I was doing no business—he did a job or two on his own account, which I allowed him to do—he took the advantage of that, and took my property away, and pawned it from time to time—I have seen a box containing 70lbs. of metal type at Mr. Hitchcock's, the pawnbroker's, but it is too heavy to bring here—I saw it at the pawnbroker's, and it is my property—it is a mixture of all sorts of type, and among it is some foreign type, from the Continent —I found about 5cwt. altogether there.

Prisoner. *Q.* Did you ever send me to pledge any type for you? *A.* Never—I went with you and several men, in consequence of getting into trouble, having 80*l.* rent to pay—I took you and several others with some type, and pawned it—I named to the pawnbroker the reason of my doing so, but that I redeemed again.

Q. Did you send me with a boy, with some type, into Drury-lane? *A.* I did once, I recollect, but this was pawned unknown to me.

JAMES HITCHCOCK. I am a pawnbroker, and live at No. 6, Little Russell-street, Covent-garden. I produced a quantity of type to the prosecutor, which he claimed—it was pawned by the prisoner.

Prisoner. *Q.* Had I been there before? *A.* You had been previously with Mr. Teuten, to pawn type.

JAMES HUNTINGDON. The prisoner came to my father to borrow a truck, to take to Union-street—he loaded it with something in a box, and took it away—he hired me to go with him.

Prisoner's Defence. The prosecutor several times employed me to pawn his type and paper—I have pledged a whole work for him—he has said, at different times, "I am short of money, can you tell how I can make some, to sell some paper, or do any thing?"—on one occasion, when he sent me to pawn type, I told him I could not carry it—he told me to hire a truck, and to pawn his composing stick to pay for the truck, which I did, for 1*s.*—I then hired the boy and the truck—I was three weeks in his service—one week he gave me 4*s.*, another 8*s.*, and the next week nothing at all—I had the key of the premises, and when I wanted type, I went to fetch it.

MR. TEUTEN *re-examined.* I never authorised him to pawn it at all—I never had any part of the proceeds of it.

GUILTY. Aged 21.—Transported for Seven Years.

(There were two other indictments against the prisoner.)

Before Mr. Justice Vaughan.

650. WILLIAM WARREN, *alias Carpenter*, and THOMAS HOBDEN, were indicted for stealing, on the 4th of January, at St. George the Martyr, Southwark, 2 geldings, price 8*l.*, the property of Walter Barton May.

MR. DOANE *conducted the Prosecution.*

ROBERT BROOKES. I am a labourer in the employ of Mr. Walter Barton May, who lives at Hadlow, in Kent, and is a gentleman farmer. I had the care of two geldings of his—on the 3rd of January I put them into the yard, and fastened the gate, near upon six o'clock in the evening—I went at half-

past five o'clock next morning to feed them, and found them gone—I gave information of it—there was no lock on the gate.

JAMES CHAMBERS. I am inspector of slaughtering-houses. On the morning of Thursday, the 4th of January, about nine o'clock, I went to Mr. Gidden's slaughtering-house, in Green-street, Friar-street, Blackfriars-road—I there saw the two prisoners and two geldings at the slaughter-house—they were offering them for sale—Warren appeared as the master, and Hobden as his servant—I heard Hobden say he had nothing to do with it—that he was employed by his master, Warren—Warren heard him say so—I asked Warren if they were his own property—he said yes, they were—Warren offered one of them for sale for 30*s.*—I considered it worth 4*l.* or 5*l.*, and asked him where he brought the horses from, and how long he had had them—he said he had had one eight months, and the other six, and that he came from Hadlow—he said he used them in a fish cart, and for drawing stones and coal to and from Hadlow—Hobden did not seem to interfere in it—he said Warren was his master—I gave them into the custody of Smithers the policeman, and took care of the horses at a livery-stable in Obelisk-yard—one was brown, and the other bay.

WILLIAM PRALL. I am bailiff to Mr. May, of Hadlow. After missing the horse, in consequence of information, I came to town, and saw the geldings, on the 8th of January, in the Obelisk stable—they were master's, and had been safe on the 3rd—they were worth 5*l.* each when they were at home—they are now worth about 4*l.*—they had come up without shoes—one of them has lost its shoes—Hadlow is thirty-three or thirty-four miles from the slaughter-house—they were not in very good condition—I know the prisoner Warren—he did live at Hadlow, but not at that time—he was not employed there in drawing stones and fish at that time—it was impossible for him to do so without my knowledge—I have been there about twelve months, and I was with the prosecutor before—I know Hobden—he is a native of Hadlow—I saw Warren at Hadlow a few days before he took the horses away—I do not know whether he lived there or not then—I cannot tell whether Hobden was servant to Warren—I do not know how he got his living—I saw them both about Hadlow, in company together, a few days before—they had no regular employment to my knowledge—Hobden once came to me for a job, a few days before the horses went away—he did not say he was anybody's servant—master bought one of the geldings last May—I know both of them belong to him—he has had one fifteen or sixteen years.

JOSEPH SMITHERS. I am an officer. I received the prisoners in charge from the Inspector.

Warren's Defence. I was in distress, and took it from want.

WARREN—GUILTY. Aged 20.
HOBDEN—GUILTY. Aged 23.
} Transported for Ten Years.

Before Mr. Baron Bolland.

651. CHARLES WHITE, WILLIAM REGAN, and JOSEPH JENKINS were indicted for feloniously breaking and entering the shop of William Nehemiah Parssons, on the 17th of January, at St. Saviour, Southwark, and stealing therein 1 jacket, value 2*s.* 6*d.*; 1 pair of corduroy, value 2*s.*; 1 tool-bag, value 6*d.*; his goods; 1 jacket, value [illegible]; 1 pair of trowsers, value 4s.; 1 pair of shoes, value 4*s.*; 1 saw,

value 2*s.*; the goods of Dennis William Flyn: 1 shirt, value 4*s.*; 1 handkerchief, value 2*s.*; and 1 pistol, value 2*s.*; the goods of Thomas Salliss: and THOMAS JENKINS for feloniously receiving the same goods, well knowing them to have been stolen. Another COUNT charging the said Thomas Jenkins as an accessary after the fact.

WILLIAM NEHEMIAH PARSSONS. I live at No. 16, Church-street, Blackfriars-road, and am an engineer. I have a workshop in Love-lane, St. Saviour's—in consequence of information I received, I went to the workshop on the morning of the 18th of January, and missed some brass carriages, and part of another—I also missed a jacket belonging to me, and two other jackets—we did not miss the compasses till we found them in the tool-bag—we did not miss any thing particular, except the brass carriages, till the property was found—when I got to the workshop I found that it had been broken open—the lock of the door was broken—I found the policeman and my apprentice at the workshop, and a lad there gave me information of what he had seen.

THOMAS SALLISS. I am apprentice to Mr. Parssons, and work at the shop in Love-lane. I went down to the shop on the morning of the 18th of January, and found some brass carriages missing—one and part of another—I did not miss any thing else at that time—on the night before, which was the 17th, about six o'clock I locked the shop up—they had broken the lock off the door—I did not miss the shirt and handkerchief at that time—I went with the policeman Stevenson on the morning of the 18th to a house in Guildford-street, where the prisoners lodged—it is kept by a man named Davis, who keeps a pork-shop—I found there some jackets, a shirt, a pair of shoes, a saw, a pistol, a pair of compasses, and other things—part of the things were my master's—the shirt and pistol were mine—the jacket, tool-bag, and compasses belong to my master—and this jacket, a pair of trowsers, a pair of shoes, and a saw belong to a workman named Flyn—we found all these things at Davis's—Stevenson has the property—I have seen White and Regan about many times, but not Jenkins—they have nothing to do with our premises.

DENNIS WILLIAM FLYN. I am a workman of Mr. Parssons—I received information from the policeman, and went down to the shop—I missed a saw, and all my things were gone—I had seen them safe on the night of the 17th, when I was at work on the premises—I went to the station-house in Southwark-bridge-road, on the 18th, and there I saw and identified them—I did not go to Davis's—I have seen the prisoners, Regan and Jenkins, once or twice about—I did not know where they lived—I saw them three or four days previous to the robbery, or it might be a week—I believe I saw Joseph Jenkins in a public-house, but I am not exactly certain.

Q. Your deposition states that you saw him the night before the robbery, near your master's shop—had you done so?—*A.* No.

JOHN LAUREL. I am thirteen years old, and live at No. 2, Elizabeth-place, with my father, at the back of Mr. Parssons' workshop. On the 17th of January, between eight and nine o'clock at night, I saw the prisoners, White, Regan, and Joseph Jenkins, near Mr. Parssons' workshop—they were at the front of the shop—Jenkins and Regan were waiting outside, and White was inside the premises—I saw a light inside the premises, and saw White come out with a light in front of the shop, out of the door—I could not see that he had any thing else with him, it was so dark

—he had a light with him, but I could not see whether he had any thing in his hand—I went in and told my father—the boys saw me—I was coming home with my errands to my father, Joseph Jenkins pretended to be drunk—White put the candle behind him, and put it out—I went home and told my father.

GEORGE STEVENSON. I am a policeman. In consequence of information which I received I went to the prosecutor's shop—I found the street door broken open—the bolt of the lock had been broken short off—I saw the witness Laurel standing at the door, and questioned him about it—I then proceeded to No. 56, Great Guildford-street, to Mr. Davis's pork-shop—I found the prisoner White on the stairs, and, suspecting him, I took him to the station-house.

Q. Your deposition states, "I went to the house of Jenkins, No. 58, Great Guildford-street, and apprehended White?" *A.* It is a lodging-house—Davis rents the shop weekly, and every room in the house is let to different individuals—when I took White to the station-house, I proceeded back to Guildford-street—the house is kept by an old blind lady—the prisoner Thomas Jenkins occupies the front room, first floor—he only lodges there—I had another constable with me—we went up stairs to the first floor front room, and found the prisoners Joseph Jenkins, Regan, and Thomas Jenkins, and Mary Jenkins, and Ann Jenkins, his two daughters—it was between eight and nine o'clock in the morning—they were all in bed undressed—in two beds—Thomas Jenkins was in one bed with his eldest daughter, and Joseph Jenkins, Regan, and the other daughter, were all in one bed on the floor—when I went into the room, they poked their heads up, and asked what I wanted—I said I had come on suspicion of a robbery they had committed—Thomas Jenkins said no robbery had been committed, and there was nothing in that room but what was his—I told them to get up and dress themsleves—Joseph Jenkins got out of bed first to put his clothes on, and as he took them off the bed to put them on, I searched them, and found a pistol in his jacket pocket—Regan got up, and took his jacket up, and I found a pair of compasses in his pocket—Laurel was with me—I sent him over to the workshop to tell Mr. Parssons to come over—I found a candle in Joseph Jenkins's cap—there were a great many Lucifer boxes in the room, and one in Joseph Jenkins's and in Regan's pockets—there was a large patch of tallow-grease on Joseph Jenkins's hair, where he had put his cap on and never wiped it off—we made a search, and found a saw under Thomas Jenkins's bed—I saw the other constable find a pair of shoes under Thomas Jenkins's bed, and two jackets and a pair of trowsers on the bed—I produce the property.

MR. PARSSONS *re-examined.* This bag belongs to me, and is my tool-bag; this jacket and compasses are also mine.

DENNIS WILLIAM FLYN *re-examined.* These are my shoes and saw.

THOMAS SALLISS *re-examined.* This pistol belongs to me, and this shirt.

THOMAS MOTHERSELL. I am a policeman. I assisted Stevenson in taking the prisoners into custody—I went into the room where the articles were found—I found this pair of shoes under Thomas Jenkins's bed—he said at first that they were his own—I afterwards told him they belonged to Dennis Flyn—I held them up in my hand, and showed them to him, and said, "They belong to Flyn"—Flyn came up the stairs at the same and then Jenkins said he had made a mistake.

BY BIRKETT. I am a policeman. I went with the other two wit-

nesses down to the prisoners' house, and found two jackets, a pair of trowsers, and a shirt on the bed of Thomas Jenkins—I was holding them up and asking who they belonged to—I said, "Whose are these?" not particularly addressing him; but he said there was nothing there but what belonged to him; there was nothing there but his clothes—that was after he had got up—he did not say any thing more—he claimed the shoes as his property, and after being questioned, said he had made a mistake.

Q. Can you take on yourself to say, that his saying it was a mistake, did not apply to the whole of the property, or to the shoes only? *A.* To the shoes, because they were shown to him by themselves—I had not searched the bed at the time the shoes were shown to him.

Regan's Defence. The old man had nothing to do with it.

Joseph Jenkins' Defence. I can only say that my father knew nothing at all about it—he was in bed when I came home, and did not know that the things were in the place.

Thomas Jenkins' Defence. I did not know that there was a thing in my place—I was in bed when the policeman came in.

MR. PARSSONS *re-examined.* I have known the old man working for Mr. Wingfield about three years—I never heard any thing against him—I really do not think he knew any thing of the robbery—as to receiving them I can say nothing about—he always seemed a very industrious man.

WHITE—GUILTY. Aged 14.
REGAN—GUILTY. Aged 17.
JOSEPH JENKINS—GUILTY. Aged 24.
} Transported for Ten Years.

THOMAS JENKINS—NOT GUILTY.

Before Mr. Justice Vaughan.

652. DANIEL MAHONEY, PATRICK MAHONEY, and THOMAS BRYAN were indicted for the wilful murder of John Bryan; they were also charged on the Coroner's Inquisition with the like offence.

MR. BODKIN *conducted the Prosecution.*

MARGARET DOWNIE. I live in Red-cross-alley, in the Borough, in the parish of St. George-the-martyr. I remember the day after Christmas-day—I was in the court about a quarter to eight o'clock that evening, and saw the prisoner Bryan—he lives in the parish—I saw him when he first came into the court—he came by himself—his wife had come before him—I knew the deceased John Bryan, and had lived three years next door to him—he had a brother named *Jerry* Bryan—there had been a quarrel that evening between *Jerry* Bryan and the prisoner Thomas Bryan, and blows passed between them—that was at a quarter to eight o'clock—a very few words passed between them, and then the blows took place—the women interfered when they were fighting, and took *Jerry* into the deceased's house, and after that the prisoner, Thomas Bryan, went away from the court—he did not say any thing when he went away—he was gone about ten minutes or a quarter of an hour—the court was quiet while he was gone—there was no disturbance then—neither of the Mahoneys were present at the first quarrel—in about ten minutes or a quarter of an hour Thomas Bryan came back and the two Mahoneys with him—Daniel Mahoney was in his shirt sleeves, and I think Patrick had his jacket off—Daniel is the son of the other—I did not see any thing in either of their hands at all—when they came, Thomas Bryan said, "Where is *e'er* a b—— Bryan now? I am *not alone* now"—he said to the elder Mahoney, "Never mind, *gossip*"—

(this means a person who has stood godfather to a child)—Mahoney said he had been listening for a long time, and did not know that Bryan, his *gossip*, was concerned in it, or he would have come—(I had told Bryan's wife to go home before that)—I said, "There is no Bryan here to answer you"—Thomas Bryan said, "Never mind, *gossip*, I shall see John the *Iron*, either over the bridge or on this side the bridge"—(the deceased was called John the *Iron*—he worked at Mr. Alderman Thompson's iron-wharf)—Thomas Bryan then said, "Never mind, *gossip*, if I do not see him to-night, or any of the Bryans, I shall meet them over the bridge to-morrow, or on this side the bridge, or any of his brothers, I don't care which it is, and I will give them blood to drink, or they shall give it to me."

Q. Was there any appearance of any of the Bryans out in the court at that time? *A.* No—the prisoners then went away—they went the same way as they came—after they were gone, *Jerry* Bryan, the deceased's brother, came out of his house into the court, and asked who was looking for him—upon which the two Mahoneys returned, but not Thomas Bryan—the two Mahoneys came right up to my door—*Jerry* Bryan was standing under the lamp at my door—the elder Mahoney (Patrick) came up, and shook hands with him very heartily under the lamp by my door, and asked him how he did—young Mahoney (Daniel) also came up the court, but I did not hear him say any thing—a young man named Reardon also came up the court, and some others whom I did not know—they went two doors from my house—I did not hear the deceased's wife call out after that—I heard nothing; but I heard a *row* between *Jerry* Bryan and some of the women, at the second door to me where they had gone.

Q. Did you hear anybody, on the *row* taking place, call out for the deceased *to come out*? *A.* I did not hear him called out myself, but I saw him come out of his brother Patrick's house—not out of his own house—(*Jerry* had been in that house) before that the deceased had come out of his own house with his child in his arms, and took the child to his brother Patrick's house; and when he was called, he came out of his brother Patrick's house, which is four doors from his own house—I did not hear him called—when he came out of his brother's he went into his own house, and came out again—he hardly staid a minute in his own house—when he came out he went down to where the mob was—where the *row* was going on—it was in the same court—Redcross-alley.

Q. Did you see what he did when he went down there? *A.* I heard him saying, "In the name of God, what do you all want here?" and I saw no more of him till they dragged *Jerry* Bryan away from the *row*—presently I saw a kind of clearance, and they dragged *Jerry* Bryan into the deceased's house—I then saw the deceased on the ground, and noticed a great quantity of blood come from his head—I did not see any blow struck myself—Mrs. Grant and Michael Bryan went to pick him up—Michael Bryan is no relation to him, nor to the prisoner Bryan.

Cross-examined by Mr. Payne. *Q.* Can you tell which of the parties were sober? *A.* On my word, I think most of them were sober—I know *Jerry* Bryan was in liquor—I saw the beginning of the *row* among the women—I did not hear of any disturbance before the one I saw.

Q. How many Bryans live in that court? *A.* There are three brothers (a nephew—I cannot say whether the prisoner Thomas Bryan was the

worse for liquor—I cannot say that he was much—it was Boxing night—Thomas Bryan went away with the Mahoneys, not by himself, when they first left—I do not know that *Jerry* Bryan was taken down the court by the deceased's nephew—I am quite sure about the words Thomas Bryan used when he came back with the Mahoneys—he called out whether there is ever a b—— Bryan here; and said, "If I was alone a while ago, I am not alone now;" and Mr. Mahoney said, "I have heard the disturbance a long time, and little did I think it was you there, or I would have been here before now and cleared the court"—he said, "Never mind, as we cannot find *e'er* a Bryan now, I shall find him to-morrow, or either of the brothers, I don't care which it is; I shall give him blood to drink, or he shall give it to me"—the deceased had come out of his own house first with the child, and took it to his brother's house; but when he was called out he brought the child back to his own house, left it there, and went down the court.

Q. What became of you when you heard him say, "In the name of God, what do you all want here?" *A.* I stood at my own door, which is not within four doors of them—I could not see what was going on—it was very dark, and I was very ill—there was a *row* seemingly at the bottom of the court—there were a good many people there—there were none of the other Bryans there, that I could see, but *Jerry*.

Q. When the deceased came out of his house, and went down to the bottom of the court, how many Bryans were there? *A.* *Jerry* and his wife—there was no other Bryan that I could see, only Thomas Bryan—I did not see whether the deceased did any thing, when he said, "What in the name of God do you all want here?"—it was too dark.

COURT. *Q.* How long after that did you see the deceased on the ground? *A.* Not long, it might be a quarter of an hour.

MR. PAYNE. *Q.* What occurred between that time, you do not know, was there any quarrelling and noise during that time? *A.* There was.

MR. BODKIN. *Q.* Had the deceased any thing in his hand besides the child when he came out? *A.* No—he did not speak with any anger at all when he went up, and said, "In the name of God, what do you all want here?"

JOHN GRANT. I am going on for eleven years old, and live with my mother in Redcross-alley. I remember last Boxing night—I was standing in the alley, on the railing, about eight o'clock in the evening—I saw the two Mahoneys in the alley—I think they were in their shirt-sleeves—I saw them when they first came up the court—I did not see Thomas Bryan with them—the court was quiet when they came in—*Jerry* Bryan and Thomas Bryan had been quarrelling before this, but *Jerry* had gone into his house, and Thomas Bryan had gone out of the court—he did not live in the court—I did not hear either of the Mahoneys say any thing when they came into the court, but I afterward saw young Mahoney with a poker hitting the deceased, John Bryan—I did not see him with the poker when he came into the court—I do not know whether he had it or not when I first saw him—I knew the deceased—I saw him come into the court—he came out of his brother's house—he came out of his own house first, with his little boy, and went into his brother's house with it—about a quarter of an hour after I saw him come out of his brother's house with the child in his arms, and go into his own house with the child—I did not see him come out of his

own house again, but I saw him afterwards in the court, near his own house—I had not heard anybody call before he came out, nor before I saw him standing in the court.

Q. What did he do after you saw him standing near his own house? *A.* I heard him say to Thomas Bryan's wife, "You had better go home in peace," as Tom Bryan's wife was quarrelling with the deceased's wife—the Mahoneys were not there then—they had not returned—(they had come up once in their shirt-sleeves, and gone away again)—I did not see the deceased do any thing after the Mahoneys came up the second time—I saw him in the court—I saw young Mahoney come up the court with a poker—the deceased was in his own house then, smoking his pipe—it was after that he came out with his child, and went back.

Q. Did you see either of the Mahoneys do any thing to the deceased? *A.* Yes, I saw the youngest one (Daniel) hit him on the shoulder with the poker—it made him stagger a little, and I saw him (Daniel) hit him twice more on the head with the poker—he then fell—he was close by the railing at that time, and I was standing over him at the time he was struck.

Q. Before young Mahoney struck the deceased, did the deceased strike him, or attempt to do so? *A.* No, I did not see it—I do not think he could have done it without my seeing him, where I was—I did not hear them say any thing to each other before the blows were struck—the deceased had no hat on—he had what is called a *Jerry* cap, which fits close to the head—old Mahoney was standing by while the deceased was being knocked down; and after he was down he came and kicked him—he was about as far from the deceased at the time he was knocked down as I am from you—(*about six yards*)—I did not hear him say any thing at the time the deceased was being knocked down—he kicked him twice after he was down—he kicked him once first; then his wife, who was among the women, came and kicked him; and then he kicked him again—he caught hold of his wife's clothes, and kicked him—I did not see in what part of his body he kicked him—the deceased had his cap on while he was on the ground, and he had his hands over his head—I did not notice either time where he was kicked—they were not very hard kicks—I did not see any more of the Mahoneys after that, for they ran away—I did not see any policeman come—I hallooed out "Murder!" and the Mahoneys ran away—Mrs. Williams was at her window at the same time, and she called "Murder" also.

Court. *Q.* Was it a dark night or not? *A.* The lamps were lighted—they are gas lamps, but there were a *lot* of women and men, and they took the light away—the lamps did not give much light where this took place—there was light enough for me to be sure that young Mahoney knocked the deceased down with the poker, and old Mahoney kicked him—I saw them quite plain—I did not notice what was done with the poker.

Cross-examined. *Q.* Where did the deceased come from at the time you say young Mahoney struck him with the poker? *A.* He came out of his own house, and was going into his brother's house—he did not come from the bottom of the court where the disturbance was—he came out of his own house—I was standing on the railing, and stood over the deceased when he was struck.

Q. If you stood over him, why could you not see where he was kicked? *A.* Because it was dark down there—it was more dark on the ground than in other part—persons were standing between the lamp and young Ma-

honey, and that made it dark—I had been standing on the railing half an hour—I did not see the deceased come out of his own hou go down the court where the quarrel was—I was before the Corone first examination—I was not sworn the first day—I was not asl questions the first day, because I did not know the Lord's Prayer· tholic priest gave me instructions, and then I was sworn—I could the Lord's Prayer the first day, and I was taught it by the priest- never before a Magistrate in my life before—I did not hear any c "Will you see your mother struck?"—a person named Mary An was in the court—she lives at No. 6—she is no relation of the dec his wife's name is *Peggy*, I believe—old Mahoney did not say or thing while his son struck the blows—he was near to the dark pa court.

Q. You say he pulled his wife by the gown, are you quite sur not stumble over the man, and kick him by accident? *A.* No—he his head—he kicked him about the head, I dare say, for he kicked his head, but it was so dark I cannot tell where it was exactly.

MR. BODKIN. *Q.* There were people between where you sto the gas-light? *A.* Yes, and that made it dark on the ground— see the faces of the people, but it was dark on the ground.

ELIZABETH CHARLOTTE WILLIAMS. My husband is a tailor. the deceased, John Bryan—he worked at an iron manufactory, I stand—I live at No. 4, Red Cross-court, or alley—I believe the alley—on the day after Christmas-day I was at home, in my be on the first floor, between nine and ten o'clock—it was not ten o'c heard a scream of murder, and threw up my window—I saw severa fighting together, but it was very dark opposite my door—I saw a his shirt-sleeves, with a heavy weapon in his hand—it appeared large poker or an iron-railing—it was very long—I saw him give tl ferent blows, but there were five or six people there, and I can whether he gave all the blows to one person—my window was not from them than from me to the Bench—(*about seven yards*)—I left dow just to go and put my hand on my child, and then returned there then appeared nobody in the court, but I saw somebody ground, and a man in his shirt-sleeves came up and kicked him— not tell whether it was a man or a woman on the ground—I saw a his shirt-sleeves just come to the body and kick it with his right fo

Q. Did you see where he kicked it? *A.* About the white par body—it must have been the upper part of the body because h white smock-frock on—I could not tell whether it was the head tl knowing whether it was a man or woman—the man then went body a few steps, and seized a woman by her gown.

COURT. *Q.* When you first looked out, did you see more tl person in shirt-sleeves? *A.* I only noticed the person using the —I cannot say whether that was the same person that kicked the

MR. BODKIN. *Q.* Did you notice whether the man who kicked weapon in his hand? *A.* No—he had nothing in his hand when h —he seized a woman by the waist and turned round, and as he again he kicked the body with his left foot—he kicked then on t side of the body—on the lower part of it—farther from the he other persons were gone away then—I saw nobody else in the c saw four or five when I looked out the first time, or there might

when the weapon was used, but it was in a dark part of the court—I called out that somebody was murdered, and then Michael Bryan came up to the body—I saw nobody the last time of looking out, but one man and a woman—I stopped to shut the window, and while I was doing that I heard them say it was John Bryan, the deceased—when I came down he was led away by two policemen—he walked along between them.

MICHAEL BRYAN. I live in Red Cross-alley. I knew the deceased John Bryan, but am not related to him. About eight o'clock in the evening, on boxing-day, I was at my own door, in the court, and saw the prisoner Thomas Bryan there—I heard him inquiring for John Bryan, or any of the Bryans, and he said he would serve them so and so; that he would jump on any of the Bryans in the court, and if he did not catch them then he would have John Bryan as he was going backwards and forwards on London-bridge to his work, (the deceased used to go over the bridge to work,) and he said if he did not have help then he would go and bring help, that he would bring his *gossips* from the Back-alley—the Mahoneys—I have been told that the Mahoneys do live in Back-alley—Thomas Bryan then went away, and was gone for a quarter of an hour or better—I did not see him return with the two Mahoneys—I know *Jerry* Bryan, the deceased's brother—I did not see him come out of the house, but he was at the bottom of the court, and was rather in liquor, and a great many women had a quarrel down at the bottom of the court—I did not see the deceased there—he was next door to me, at his brother's house—I saw him come out, with his child in his arms—I do not know what made him come out—at this time the two Mahoneys were down by his house—I followed him down the court—he put his child in doors, came out, and advised the Mahoneys to go home, and to take no notice of women's quarrels; as they had begun it, to let them finish it betwixt them.

Q. What part of the court were the Mahoneys in when he said that? *A.* Close to the deceased's own house—the elder Mahoney then said he would jump on any man who would say any thing against his *gossip*—at this time *Jerry* Bryan was rather in liquor, and six or seven women got round him, and were *clawing* him opposite the deceased's door—the deceased's wife and I assisted *Jerry* into the house, and got him in doors, as he was in liquor—I did not go in doors with him—the two Mahoneys and the deceased at this time were coming up the court, talking together—I followed them up, and as I came a little towards my own house, I saw something white lay against the palings—I had been two doors further up, and there were a great many women and people in the way—I did not see any thing done to the deceased, but I saw something white against the palings, which turned out to be him—he had a white smock frock on—I looked at him, and thought it was one of the women, and said I would let her stop down a bit, as she deserved it, having begun the quarrel—somebody said, "It is John Bryan," and then I went to pick him up—I saw a man standing against his head—I looked, and it was young Mahoney, holding a poker over his head with both hands, as if he was going to strike, but I did not see any blow struck—it appeared as if he was going to strike me—I said, "Mind, young fellow, don't you go to hit me with the poker, I have not interfered on either side"—I drew back—there was a door open behind me, and I got in—I got up on the stairs, and remained there two or three, and when I thought they were gone I came out—I helped the deceased up, and he was taken away by the policemen—I saw

his part—there was no quarrel between old Mahoney and my father that I know of—I do not think my father ever spoke to them.

MR. BODKIN. *Q.* Had your father any weapon in his hand at all? *A.* No—he had a black cap on—it was a white flannel cap, covered with black glazed stuff; and he had a white smock-frock.

WILLIAM ROBERT BOYD. I am assistant to Mr. Bransby Cooper, of Guy's Hospital. I remember the deceased being brought there, on the 26th of December—he was alive then, and lived till the Thursday week following, the 4th of January, when he died—he was suffering from a large wound on the left side of the head, which was bleeding profusely—there was a contusion on the left temple, and a smaller wound, near the vertex of the head—he was unable to speak when he was brought in, but was conscious of what was being done with him.

Q. I suppose it was a perfectly hopeless case from the first? *A.* I should say, certainly not, as far as we were able to judge when he was brought in—there was not appearance enough to prove a pressure of the skull on the brain—I examined the head after death—on removing the scalp, I saw a large quantity of extravasated blood, and discovered an excessive fracture, without any displacement of the bone—it had extended over a large artery, and ruptured that artery, and formed a large coagulum of blood, which, pressing on the brain, caused death.

COURT. *Q.* If you had known the state of the wound to be as you found afterwards, would you have trepanned? *A.* That would not have altered the case—there may be pressure of blood from various causes—trepanning is of use in cases where the pressure is from blood, and not from the bone.

MR. BODKIN. *Q.* Was it such an injury as was likely to have been inflicted by such an instrument as a poker? *A.* Yes; I think it very probable that the contusion on the temple might be the result of a kick—that alone would certainly not be the cause of death—there was no mark on the shoulder when I examined after death—I did not examine it particularly before—there was no sign of violence on the shoulder after death.

Q. Were the two wounds, besides the contusion, so situated as that they might be inflicted by one blow? *A.* I think it possible they might be inflicted by one blow—they were about two inches, or two inches and a half apart.

Cross-examined. *Q.* You consider death was caused by the pressure of coagulum of blood on the brain? *A.* Yes; that proceeded from the rupture of a vessel which was caused by a large fracture of the skull which I found—that fracture corresponded with the wound outside.

MR. BODKIN. *Q.* Would the flow of blood be caused by the contusion on the temple? *A.* Not at all.

WILLIAM CHICHESTER REYNOLDS. I am a policeman. In consequence of hearing of this affair, I went to Mahoney's house, in Red Cross-court, Borough, just in the rear of where the deceased lived—we demanded admittance, and were refused—it was between ten and eleven o'clock at night—it was boxing-night—I found them in bed when I went in—I told them what I took them for, and the younger one said he knew nothing of it—they were undressed, but they put their clothes on—I did not see what kind of shoes the elder one had.

WILLIAM HUMPHRIES. I am a policeman. I took Thomas Bryan into

on the night of the 8th of January, in Fishmonger's-alley, at an
te—he lived there—I had not been looking for him before—I told
; I took him for—he said it was John Bryan's wife's fault—that he
nething about it, and it was her fault.
examined. *Q.* Was not what he said, that he had nothing to do
: was all John Bryan's wife's fault? *A.* No, he did not say so.
lius Cronin; Catherine Brown, of the Maze, Borough; Ellen
; Michael Mahoney; Mary Allen, of Rotherhithe; and Margaret
gave the two Mahoneys good characters for humanity and
)

. MAHONEY. GUILTY of Manslaughter only.—Aged 18.
K MAHONEY. GUILTY of Manslaughter only.—Aged 40.
Transported for Life.
BRYAN—NOT GUILTY.

Before Mr. Common Sergeant.

ARAH HILLIER was indicted for stealing, on the 23rd of Janu-
ak, value 1*l.*; 1 veil, value 6*d.*; 1 pair of bracelets, value 1*s.*; 2
ks, value 2*s.*; 1 purse, value 1*d.*; 1 handkerchief, value 1*s.* 6*d.*;
alue 6*d.*; and 1 apron, value 6*d.*; the goods of Henry Christ-

CHRISTMAS. I am the wife of Henry Christmas. The prisoner
in my service, and left me on this day week—I have been very
e used to attend me—I did not know she was gone till I missed
, veil, and other things—they are here now—this cloak and veil
—(*looking at them*)—I missed them within half an hour of the time
e—I was confined to my bed at the time.
er. She allowed me to wear the things. *Witness.* I did not know
had the things on her—she asked me once to lend her the cloak I
but she let me have that again.
er. She did so to all the lodgers—before she was indicted she used
: and pick up dirty girls and dress them, and she was sent to
Witness. What I have done I have suffered for, and I am sorry
t I have not done it since—she came to me as a charwoman—she
ought any men to my house—she never saw any one in the house
myself—I did not take her to Ratcliff-highway with one of the
-I did not give her leave to wear the things, nor pledge the candle-
hich she did—I never allowed her to pledge them.
ET RATHBONE. I am a pawnbroker. I took in these candle-
m a female—I did not take much notice of her—I cannot de-
r—this is the counterpart of the duplicate given for them—
pledged on the 23rd.
CROTHERS (*police-constable M* 114.) I went after the prisoner,
her—I found a duplicate corresponding with this one of the can-
-the other things I found on her person—I took her in High-street,
and the prosecutrix lives in Market-street, near the Elephant
e—it was half-past eleven o'clock at night—she had left at three
the afternoon—the candlesticks were pawned the same day.
er's Defence. She gave me leave to pledge the things, and allowed
ar things—she keeps a house of the same description at No. 3,

Market-street—she did not tell me exactly to go out for her—I hel
move, for one thing.

GUILTY* of stealing the candlestick.—Aged 26.—*Recommen*
mercy.—Transported for Seven Years.

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654. LAZARUS GYE was indicted for stealing, on the 18th of
ary, 1 half-crown, the monies of Thomas Gratwick, his master.

THOMAS GRATWICK. I am a cheesemonger. The prisoner w
shopman, and intrusted to take money—it was his business to t
money in the shop—on the 18th of January, in consequence of so
cumstances, I charged him before the police-officer with taking a hal
from the till—I missed a half-crown—he said at first that
not taken it.

MR. CLARKSON. *Q.* Before the prisoner made any statement
did he not ask you if you would not prosecute him? *A.* He did,
said he would state the whole if I would not prosecute him—upon
asked him to tell me where it was—what I said was, "Have you tal
more?"

Q. Did you make any reply when he asked you to promise not
secute? *A.* I did not make any reply—the answer I made was,
you taken any more?"—that was my answer to his request not to
cute him—he said he had taken more—I did not tell him if he wo
me I would see about it—I am quite sure about that—I can
whether I did—I asked him if he had taken any more—I did
"I cannot say about that."

COURT. *Q.* What passed? *A.* When I asked him if he ha
any more, he said he had—I asked him what he had done w
half-crown—he said he had deposited it in the cellar—I sent t
lice-officer with him—the prisoner found it, and delivered it
hands—there was a half-crown brought back by the police-officer.

Cross-examined by MR. CLARKSON. *Q.* Are you son-in-law of
tleman of the name of Bumby? *A.* I am—he originally had th
ness—I was not in his service—I married his daughter, and succe
the business—I do not know whether the prisoner has a wife and fo
dren—I believe he is a married man—I have not been to his house-
sent my wife—I know that there is a person passing as Mrs. Gye-
no reason whatever to suppose that he has children—I never saw
he lived formerly in the service of Mr. Bumby, and was then r
15*s.* a week—I continued him a short time after Mr. Bumby left t
ness, and then discharged him, as I had no business for him—I
send Mrs. Gratwick to him to engage him again—the only time I
member sending her was to tell him to come home, when he had b
with goods a long time—I do not remember sending her in the in
his leaving my service and coming back again—I gave him 12*s*
and his board—Mrs. Gye has a business as a straw bonnet n
believe—I have never been to the house—I have been told so—I d
collect saying to the prisoner, when he left my service, "Gye,
depend on my giving you a very good character, but I have no fur
ploy for you"—I should think that was nearly three or four month
should have given him a good character, but I do not recollect tellin
—I did not tell him I would not prosecute if he would tell me w

half-crown was—I asked him if he had taken any more—he said he had 2*s*.—I said nothing to the effect that if he would tell me where the half-crown was I would not prosecute him—I did not say I would consider about it—I made this deposition—(*looking at it*)—this is my writing—it was read over to me before I signed it—I was asked whether it was true, and if I had any thing to add—I said it was perfectly true.

Q. Did you say this? "After the prisoner said, if I would not prosecute him, he would tell me where the half-crown was, I said I could not say about that?" *A*. I did not notice that when it was read—I do not recollect saying it—I do not think I said it—I asked him whether he had taken any more.

Q. Upon your oath, did you not promise to that effect, and encourage him to believe you would not prosecute him, and send him with the officer to the place where he said he had put the half-crown? *A*. I asked him if he had taken any more—that was all I said—I did not employ Mr. Wilson to go there with the marked half-crown, for the purpose of entrapping him—my father-in-law sent him with my knowledge and consent.

Samuel Wilson. I received four half-crowns from Mr. Bumby, on the 18th of January—I saw them marked—I went to the shop, and purchased something of the prisoner with them—this is one of the half-crowns that I saw marked, and the one that I paid the prisoner—(*looking at one.*)

Henry Todd (*police-constable L* 80.) I went with the prisoner down into the cellar, and there he found this half-crown, and gave it to me.

Cross-examined. *Q*. Did you see Mr. Jeremy put his name to these depositions? *A*. Yes—this is the Magistrate's handwriting—(*read*)—"*The prisoner says, I have nothing more to say than what my master has stated—my master said he would forgive me if I told him where the half-crown was.*"

(The prisoner received a good character.)

GUILTY. Aged 44.—*Recommended to mercy by the Jury.*

Confined Six Months.

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655. ALFRED PARNELL was indicted for stealing, on the 26th of October, 13 spoons, value 6*l*., the goods of Thomas Kettle.

Mr. Doane *conducted the Prosecution.*

Thomas Kettle. I carry on the business of a draper at Coggeshall. In October I put an advertisement in the paper for a shopman — the prisoner replied to it by letter—I wrote to Mr. Holmes of Brentford, and received an answer—the prisoner then came into my service, and staid ten days—he then said his mother was ill—I paid him his wages, and he went away—I had some spoons in a drawer in my bed-room, which was not locked—when the prisoner was gone I missed these spoons—(*looking at them.*)

Cross-examined by Mr. Chambers. *Q*. Who slept in the room besides you and the prisoner? *A*. No one—my wife was not at home—I have servants—I had not a servant who left me shortly before—not within six months.

Mary Nixon. I am the wife of John Henry Nixon, and live in York-street, Westminster. The prisoner was in the habit of coming to see my husband—I remember his coming the latter end of October—he brought some spoons, all marked with the letter K, except some dessert-spoons—he stated that a relation was dead, and that was his share of the property—I gave a duplicate to the policeman.

Cross-examined. *Q.* Your husband was tried last Sessions? *A.* Yes, I believe he was—I did not see him—the prisoner gave evidence against him for a robbery, I believe—I have known the prisoner about two years—my husband is thirty years old—I do not know how old the prisoner is—he lodged at my house about a year and a half, and left about six months ago—I cannot say how many robberies my husband has been charged with—I do not know how many he has been charged with along with the prisoner—I do not know my husband's business—I do not know that he wrote letters for the prisoner, giving him a character—it was between the last sessions and the present that I told about these spoons.

COURT. *Q.* Last Sessions he gave evidence against your husband? *A.* Yes—I was living with my husband till the trial—till the time he was taken—I swear that he was the person who brought the spoons to me.

DANIEL CHORSTOPHON. I am a police-inspector. I apprehended the prisoner on the 19th—I sent for Mrs. Nixon to come to me—she showed me a duplicate—I had taken the prisoner on another charge—I made inquiry first, and in consequence of that this duplicate was forthcoming—I made inquiries not about these spoons, but a variety of other charges of this nature.

Cross-examined. *Q.* You took the prisoner and Nixon? *A.* Yes—I knew he was a witness against Nixon—he had not given me any information in this case—he had given Mr. White some—I was not present when a promise was made, that if he told all, he should not be prosecuted—Nixon had not given a false character to get the situation in this case—Nixon is a much older man than the prisoner—he lived at No. 9, Broadway, Westminster, a week or ten days prior to his being taken—he had lived previously in Kennington-lane, Lambeth—since he was tried, I have traced out some places to which he had gone—the prisoner stated that Nixon was present at the other robbery, and came and fetched the goods—in consequence of what the prisoner said, about 10*l.* out of 40*l.* of Mr. White's property has been found—it was discovered that Nixon had pawned it—that part has been recovered.

MR. DOANE. *Q.* Has that any thing to do with this case? *A.* No—the letter in this case was written by the prisoner himself.

JAMES STANLEY. I am shopman to Messrs. Tarrants, pawnbrokers, in Clerkenwell-green. I produce these spoons, which were pawned on the 26th of October, in the forenoon—their value is about 5*l.* 10*s.*—it was not the prisoner who pawned them.

THOMAS KETTLE *re-examined.* The prisoner left me on the 22nd of October—this is my property—(*looking at the spoons*)—I believe the letter I received to be in the handwriting of the prisoner—I found no Mr. Holmes at Brentford.

MR. CHAMBERS. *Q.* You received two letters, did you not? *A.* Yes, one in answer to the advertisement, and this other—(*producing them*)—they are not the same handwriting—I have had an opportunity of comparing it with what he wrote on my premises—the one with "A. Parnell" signed to it is not his handwriting—I did not notice his hand before he left my service.

MR. CHAMBERS *to* MRS. NIXON. *Q.* Do you know this handwriting? *A.* I would not swear to it.

GUILTY.* Aged 20.—Transported for Seven Years.

(*See Third Session, page* 383.)

656. MARY ANN HIDE was indicted for stealing, on the 1st of December, 3 sheets, value 9*s*., the goods of William Woods.

HARRIET WOODS. I am the wife of William Woods, of Wandsworth, in Surrey. About three months ago I had three sheets in my box—I missed them on the 15th of January—the prisoner lived on the same floor that I did—she rented one room, and I rented two—when I was at home she frequently came into my apartments—these are my sheets—(*looking at them.*)

JOHN DONNELL. I am a pawnbroker, living at Wandsworth. I took in these three sheets of the prisoner on three different days.

WILLIAM DAVEY (*police-constable V* 99.) I took the prisoner, and found the duplicates of the sheets.

Prisoner. I was in distress when I did it.

GUILTY. Aged 35.—Confined for Three Months.

(There was another indictment against the prisoner.)

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657. WILLIAM EDMONDS was indicted for a misdemeanor; to which he pleaded

GUILTY. Aged 28.—Confined Six Months.

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658. HENRY NORRIS was indicted for embezzlement.

MR. CLARKSON *conducted the Prosecution.*

WILLIAM MARTIN. I am a leatherseller, and live at No. 187, Union-street, Borough. The prisoner was in my service—he was formerly in my warehouse, but last year he ceased to be in my warehouse, and became my collector—he had authority to receive money on my account—it was his duty to keep a book to enter accounts of what he received—the monies he received were to be entered the evening of the same day, if he was home before the warehouse closed, if not, the first thing next morning—he left me about three months since of his own accord, being in some difficulty at that time—I was not aware that there was any deficiency in his accounts—I had a customer of the name of Hartley—he never accounted to me for the sum of 20*s*., received from Mr. Hartley on the 24th of May, nor for 20*s*., received from the same gentleman on the 7th of June—I had a customer of the name of Thomas Sale—the prisoner did not account for the receipt of 30*s*., received from him on the 2nd of June—he accounted for 20*s*. of it.

Q. How was he paid? *A.* Within the last eight or nine months, at his own request, I have allowed him 1*s*. in the pound, on all sums he collected, in the room of 30*s*. a week, which I allowed him previously.

Cross-examined by MR. PAYNE. *Q.* How long was he in your service at 30*s*. a week? *A.* Between three and four years—I have from 100 to 150 customers, from whom he was in the habit of collecting—I cannot say exactly how many, but not more than that—our proceedings may be called the *tally* system—it is all the small trade—he had to collect that—his travels extended to ten miles round London—he had to pay his own expenses out of the commission after he ceased to receive his salary—I am aware, in his entries of sums, of one mistake he made in my favour, but not of any more—it was money received from a person of the name of Jenkins—that was the only one—I have no knowledge of a person of the name of Turner—the prisoner is married—I do not know

what family he has—I should say four or five children—he is lame, and has a wooden leg—I formed this out-door connexion that the prisoner collected from, myself—he did not find it—I had a small connexion which he sold me—he had opportunities of increasing the connexion as he went about—he left me on account of his being in some difficulties—he was arrested for some debt of his son's, that he was answerable for—I do not know of his negotiating with a Mr. Carpenter, in the same business with myself, after his coming out of prison—I did not call on Mr. Carpenter on the subject—he called on me—I did not make any offer to the prisoner, that if he would not go to him, but come to me, I would make his situation better for him—I should say I did not tell Mr. Carpenter so—I did not have the prisoner taken on the 15th of last month—I did not have him taken to the station in King-street, Westminster—a policeman called on me that day—I did not tell him I had no charge against the prisoner—the policeman asked me if I had had a person in my employ of the name of Henry Norris—I said, "Yes"—he said, "I should like you to come to our station-house—have you any charge against him?"—I said, "I have no warrant against him—I am unwell to-night, but make my respects to the superintendent, I will be there in the morning"—after the policeman left, the prisoner himself came, and I refused to see him—I did not hear him say any thing—I heard that he refused to leave the warehouse—(he was then in Mr. Carpenter's service—I believe Mr. Carpenter is in the same trade as myself—I do not know whether he has the same tally system)—I requested my man to go for an officer, and have the prisoner taken immediately—I never told Mr. Carpenter any thing to the effect that I wanted to get the man back, and would make his situation better for him if he would come back—I never told the prisoner so—he had a collecting book, but he refused to make use of it—I cannot tell whether he lost it or not—it was his own book, not mine—I knew he was in the habit of putting down the sums from recollection, and I was particularly angry with him for it.

MR. CLARKSON. *Q.* Have you such a thing as a ledger? *A.* Yes—Mr. Whiffin, the clerk, ought to make the entries in it—I find there are alterations in the clerk's figures in the prisoner's writing—(*looking at it*)—in Mr. Hartley's account on the 3rd of May there is a half-sovereign received by the clerk put in the ledger, and it has been altered by the prisoner to 1*l.* 10*s.*—that would discharge Mr. Hartley of 1*l.* 10*s.*, I having received but 10*s.*—when Mr. Hartley came to have his account it would correspond with mine, because the ledger had been altered to his receipts—I regret to say that I have more than one hundred such errors—the prisoner had no right at all to make entries in that ledger—it was his business to make entries in a book and account to me for these sums, and they were posted by the clerk in the ledger from that book—I do not know whether Mr. Carpenter is in Court—I have not seen him—I know him—he was a clerk of mine—he left me about two years ago—he set up in business instantly after—the prisoner was in my service then—he gave me no intimation that he was going into the service of Mr. Carpenter—he went to prison, and I understood he was to come to me again—I was answerable for him, and got a neighbour to be bail for him—I knew the prisoner was a married man—I was unwilling to prosecute him, and when the policeman came, I said I had no warrant, but would attend the superintendent the next morning—I had pointed out these deficiencies to the prisoner—I sent for him, and after some time he

came to me—when he came the last time, it was more in bravado, because I would not attend at Westminster to make a charge—he came that same evening to me—I remained in my counting-house, and would not see him—our men were unable to get him out of the warehouse—he said, "I will have it cleared up; there is no charge against me"—I then had him taken—when I pointed out these deficiencies to him he said he could not explain them—he collected from 30*l.* to 50*l.* a week—he would then have from 30*s.* to 50*s.*—I kept two horses, and if he had a commission he was to keep them—it was because he had a wooden leg, and could not walk, he had these horses—I had paid him wages of 30*s.* a week—I altered it at his own request.

COURT. *Q.* Are the alterations in figures? *A.* They are in figures—I know a person of the name of Gibbons—he was formerly in my employ—I did not give him any instruction to have the prisoner taken into custody—Gibbons was not in any connexion with me at this time, nor has he been for years.

MR. CLARKSON. *Q.* Are the entries in the cash-book all in the prisoner's writing? *A.* No—he enters what he receives himself—the entries of the two 20*s.*, and the 30*s.* are not in this book—(*looking at one*)—this is the book in which he ought to have entered them.

WILLIAM HARTLEY. I live at No. 5, Plumtree-street, and am a shoemaker. I know the prisoner—he collected monies from me, on account of Mr. Martin—on the 24th of May he was paid 20*s.* for his master—I have the receipt for it, and another for 20*s.* on the 7th of June—I know his handwriting—here are a list of dates and sums—on the 24th of May 20*s.*, and on the 7th of June 20*s.*—this is on the bill of Mr. Martin, and the receipts are on the back of it—(*read.*)

THOMAS SALE. I am a shoemaker, in York-street, Newington. I called on the prisoner on the 2nd of June, and paid him 30*s.*—the prisoner entered it on the back of the bill in my presence—here it is—(*producing it*)—I called at Mr. Martin's warehouse, and Norris was behind the counter.

WILLIAM MARTIN *re-examined.* This was entered 20*s.* in the book—the others are not entered.

THOMAS WHIFFIN. I am clerk to Mr. Martin. I produce the cash-book from which the prisoner should make his entries into the ledger—on the 24th of May there is no entry of 20*s.*, nor on the 7th of June of 20*s.*, from Mr. Hartley, nor on the 2nd is there an entry of 30*s.* from Mr. Sale, but there is an entry of 20*s.* in the ledger, with which he has no business—he has altered 20*s.* to 30*s.*—at that time I had a bad finger, and he entered the 1*l.*, and then altered it to 1*l.* 10*s.*—I was actually reading to him from his own cash-book the entry he ought to have made—I read 1*l.* to him, and he altered it after that—I called to him correctly 1*l.*, and he has altered it.

Cross-examined. *Q.* Did you see him enter it? *A.* No—I was on the other side of the desk.

NOT GUILTY.

(*See page* 585.)

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659. WILLIAM SHERLOCK was indicted for stealing, on the 26th of January, 32lbs. weight of lead, value 4*s.*, the goods of John Nicholls; and then being fixed to a certain building; against the Statute, &c.

JOHN NICHOLLS. I am an army-clothier, at No. 57, Jermyn-street, St. James's. On my leaving for town in autumn last year, I sent for the pri-

soner, and offered him the charge of my cottage at Barnes, to do up the garden—I am told I have lost some lead from there, but I have not been there.

Cross-examined by MR. PHILLIPS. *Q.* He did occasionally work in your garden? *A.* He did for the gentleman who had the cottage before I had it, and when he declined to take charge of the cottage, he said he would do the garden, or get some person to do it—I have inquired about his character, and find he had a very excellent character—his residence was in a lodge opposite my cottage—I have had opportunities of seeing his conduct, and considered him a very well conducted man, and if I had any business to do in the garden, I would have had no objection to give it him.

JAMES FINLAYSON (*police-sergeant V* 13.) I was on duty opposite the prosecutor's house, on the evening of the 26th of January. I heard a noise in the garden—I went in, and saw the prisoner run from the privy towards the wall which parts the garden from the common—I asked what he was doing—he begged to be forgiven—I asked what he had been doing—he said, "Taking a bit of lead to make a sink," and begged to be forgiven—this was at six o'clock in the evening.

Cross-examined. *Q.* How long have you known him? *A.* From seven years to seven and a half—he bore a very respectable character—he said he had assisted to put the lead on the privy before, and took a bit of it—he did not say where he meant to make a sink.

GUILTY. Aged 35.—*Recommended to mercy by the Jury.*
Confined Six Days.

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660. THOMAS CUFF was indicted for stealing, on the 27th of January, 3lbs. weight of soap, value 1*s.* 6*d.*, the goods of James Cutmore.

JAMES CUTMORE. I am a grocer, and live at Mortlake. I missed some soap on Saturday the 27th of January—I ran out, from information I had received, and saw a man who turned out to have some soap—here is the soap, but I did not see him drop it—I found it in the road.

ELIZA NASH. I live at Mortlake. I was going to the surgery, and saw the prisoner passing by the shop, and in passing the door he took the cake of soap from the door—I gave information, and the prisoner was pursued—I did not see him drop the soap—it was too dark—I am sure he is the person who took it—it was like this person—he went towards the King's Arms.

FRANCIS GRIGG. I am the officer. I took the prisoner.

JAMES CUTMORE *re-examined.* I ran out towards the King's Arms, and found the prisoner about three doors from the shop—I found the soap where I took him—it had been dropped by somebody—it was just under his legs.

Prisoner. *Q.* Did you not state that you passed me, and then came back and took me? *A.* I passed you about a yard, not more—you did not make any resistance.

Prisoner. I went to see a relation of mine who was not at home—I went to the King's Arms, and had two or three pints of beer—I went up the town and met the wagons—when I came back this gentleman met me and charged me with taking the soap, but I had none on me—I knew nothing of it.

(The prisoner received a good character.)

GUILTY. Aged 30.—Confined Three Months.

661. HENRY NORRIS was *again* indicted for embezzlement.

(*See page* 581.)

MR. CLARKSON *conducted the Prosecution.*

WILLIAM MARTIN. I am a leather-seller, and live in Union-street, Borough. The prisoner had been in my employ, at weekly wages, about four years—I altered it about eight or nine months since at his own request—I then appointed him collector of my small debts—he was to have 1*s.* in the pound—he was a lame man, and he had to keep two horses—he did not deduct this shilling in the pound every week—he had what he wanted from me, without any regard to the collecting; that was to be settled at the end of the year—he kept a book, and if he was home before the warehouse closed at night, he was to enter the small debts he had collected, but if not he was to do it the first thing in the morning, and to hand the money over to me—I had a customer of the name of Page—on the 3rd of October he accounted for 10*s.* received from him—he never accounted at any other time for the rest of the payment of 13*s.* 6*d.*, or 3*s.* 6*d.*, or the other money to make up the 1*l.* 3*s.* 6*d.*—I had no money from him on the 10th of October on Mr. Page's account—I had a clerk of the name of Whiffin, whose duty it was to keep the ledger—the prisoner only made entries in this ledger on one occasion, when the clerk tore the nail off his finger—he had no business to make entries in the ledger, except on that one occasion—I have perceived in Mr. Page's account in the ledger alterations in some of the sums—I should think they are in the prisoner's handwriting, but I would not swear it.

THOMAS WHIFFIN. I am clerk to Mr. Martin. It is my duty to keep this ledger—there are instances of the prisoner's writing in it—there is an alteration of a figure in Mr. Page's account—I cannot say in whose handwriting it is—it is not my writing— there is no person authorised to write in this ledger but myself.

CHARLES PAGE. I was a customer of Mr. Martin's. On the 3rd of October I owed him 1*l.* 3*s.* 6*d.*, and I paid 20*s.* to the prisoner—I have got the prisoner's writing for the receipt on the back of this bill of parcels—(*receipt produced and read*)—"October 3rd, Received 20*s.*, Henry Norris"—about a week after that I paid him 3*s.* 6*d.*—I made these payments to him at my house, No. 3, Crown-row, Brixton-road.

Cross-examined by MR. PRENDERGAST. *Q.* Did you pay it yourself? *A.* Yes—I have said that I understood it was my wife—I did not recollect at the time whether it was my wife or myself—if my wife paid it I was not present—I did not remember it at Union Hall, nor on any other occasion—I remember it now by the writing and the figures—they are the prisoner's figures.

Q. Is not all you remember this, that you see certain entries here in the prisoner's handwriting? *A.* Yes—I do not know whether I paid it or my wife—all that I go upon is, that seeing these figures, the prisoner must have received the money — I have known the prisoner about twelve months.

MR. CLARKSON. *Q.* This is the prisoner's handwriting, on October the 3rd, for 20*s.*? *A.* Yes, and again a week after for 3*s.* 6*d.*—I believe it was Mr. Cripps that I first told that I did not recollect whether my wife paid it or myself—that was when I had not the bill with me, but on seeing these figures in the prisoner's writing, it enabled me to recollect that I saw him write these figures.

WILLIAM MARTIN *re-examined.* I know the prisoner's writing—these receipts are the prisoner's writing.

Cross-examined. *Q.* You have known the prisoner a long while? *A.* I have—he did not always take a book with him—I was angry with him that he did not—he was arrested, I believe, for his son's debt—he was in very great trouble about October—I always had reason to believe that he was a man of good character till these discoveries—I was answerable for him when he was arrested—he has been obliged to take the benefit of the Insolvent Act—I think that was about October—it was before Term time—at the time I made this charge against the prisoner, he was in Mr. Carpenter's service—I am not aware that Mr. Carpenter is a great rival of mine—he is in the same line of business, but we are on good terms—the prisoner brought a small connexion to me—(he was in business himself)—I should not like to lose that connexion—when the prisoner came out of custody, I was willing to take him into my employ again if he had come back to me, but he never came—I never discharged him—he went into Mr. Carpenter's employ after some days—he solicited me first before he went to Mr. Carpenter—he had a wish to have a weekly salary again, and I said I would consider of it—he then went and made an agreement with Mr. Carpenter—he was negotiating with Mr. Carpenter at that time—he had been from five to ten days with Mr. Carpenter when I had him taken up—he had absconded once—he was not at home for three or four days—I cannot tell where he was—I wanted to find him—he afterwards called on me himself—an officer came after that and told me he was in custody—I did not tell the officer I had no charge against him—I said I had no warrant against him—I never gave him in charge—the officer told me that Norris was taken, and that I was to come down to the station-house—I said I was unwell, I would come in the morning—I did not go to the station-house—I did not say I had no charge against him—the prisoner came to my house after I sent for him—he was at my house that very night, but he came then without being sent for—I had sent for him before he came, both after and before the policeman came—in the first instance he came by himself; in the last he and his wife came together to my warehouse, about eight o'clock in the evening—I sent for him to Mr. Carpenter's, and he came—he did not say he should give himself up into custody—he was to come the next morning—some days after that, the policeman came and said he was in custody, and the same evening the prisoner and his wife came—that was the evening I gave him into custody—I never heard him say that he came for the express purpose of explaining any thing that was wrong in the accounts—I never spoke to him, as he was in the warehouse and I was in the counting-house—I would not go to him—he might have said that he wanted to explain any thing that was wrong in the accounts, but I did not hear it—he collected monies without his books—I have never found that he has given an account of having received more than he has—he was never over nor under his cash-book—he was over in one account in the ledger, not in the cash-book—I know that he has overcharged himself, and made mistakes of different kinds, in consequence of not taking the book—his book is not lost, it is now at home; he had mislaid it—I was over the way, in a public-house opposite my warehouse, taking tea, at the time the officer came—that is not a dozen yards from my warehouse—I live at Peckham; and, ill as I was, I went home that night to Peckham—the station-house is at Westminster—I went to Peckham in the omnibus—I

walked to the Borough from Union-street—the prisoner and I kept a sort of account one against the other, and there was no settlement come to till the year's end—I gave him money on account—he was always in my debt on the commission—I was always paying him money, 2*l.* and 3*l.* at a time; not on any calculation of the account, but according to the money he wanted.

Mr. Clarkson. *Q.* What is the state of the account? *A.* It is a commission account, and he has in advance about 20*l.*

Court. *Q.* Was there any account whatever as to money received by him? *A.* No.

Mr. Clarkson. *Q.* Was he entitled to keep back any money he received from your customers? *A.* None whatever—I live at Peckham, and take my meals at the public-house with the family there—I have indemnified his bail; of course, I did not know he had been plundering me then—I knew he was married and had five children—I was unwilling to prosecute him—when he called on me, he named the next morning to come and settle the accounts; but he did not come—that was four or five days before he was apprehended—instead of coming he wrote a letter, which I have got now—he did not come to me again—when the officer came to me he was in custody—I had not directed anybody to give him in charge—I sent a message to the inspector by the officer—in consequence of that message I did not attend before the Magistrate the next morning, because the prisoner was discharged in half an hour—I did not discharge him on account of his going to Mr. Carpenter, nor with any reference whatever to his going into his employ; it was from information I received from my clerk.

(The prisoner received a good character.)

GUILTY. Aged 47.—*Recommended to mercy by the Jury and Prosecutor.*—Confined One Year.

LIPMAN ISAAC MALHOUSEN convicted in October last, (*see Kelly, Mayor, Vol. II. page* 814,) was at the present Session sentenced to two years' imprisonment, to commence from the period of his conviction.

ADJOURNED TO MONDAY, FEBRUARY 26TH.

CENTRAL CRIMINAL COURT.

COWAN, MAYOR. Fifth Session.

A star (*) denotes that the prisoner has been previously in custody—An obelisk (†), that the prisoner is known to be the associate of bad characters.

LONDON AND MIDDLESEX CASES.

OLD COURT.—*Monday, February 26th*, 1838.

First Jury, before Mr. Recorder.

662. HENRY WEST was indicted for stealing, on the 30th of December, 1 table-cover, value 2*s.* 6*d.*, the goods of Edmund Deane.

Edmund Deane. I live at Feltham, in Middlesex. I missed a table-cover from my garden, on the 30th of December—it was brought to me about a week afterwards by the husband of the woman who had bought it, named Ward—he is absent now, and so is his wife.

Robert James Thorpe. I am a constable, and live at Feltham. On the 30th of December my attention was called to the prisoner and another person—they passed my house, going in the direction for Mr. Deane's house—I apprehended the prisoner afterwards—he said nothing to me.

NOT GUILTY.

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663. WILLIAM JOHN CLARK was indicted for stealing, on the 28th of September, 3 wooden boards, value 6*s.*; 1 box, value 1*s.*; 1 pick-axe, value 2*s*,; 1 crow-bar, value 7*s.*; 1 work-bench, value 14*s.*; 1 mortar-hook, value 1*s.*; 1 level, value 6*s.*; 14 pieces of wood, value 8*s.*; 7 feet of water-trunk, value 2*s.*; and 1 wooden gutter, value 1*s.*; the goods of William Carrington.

William Carrington. I live at No. 17, Virgil-place, Marylebone. The prisoner took a quantity of my things away, about the 28th of September—I did not see him take them, but I found part of them in his possession—I went before the Magistrate on the 30th of December—the things were lost on the 28th of September, but were not found till the 29th of December—I knew the prisoner before, he kept a beer shop—he had been to my premises—he was a tenant of mine—the house I had was mortgaged to Mr. Smith, and we let him the house—I was at work at his house, No. 20, Lloyd's-row, Clerkenwell, and was taken ill, and not able to follow my

work—I left a quantity of tools at his house—he absconded from th house, and I afterwards found my tools in three different places, not at th house—I found part of them at No. 22, North-street, Lisson-grove, part No. 10, Marsham-street, Somers-town, and some at No. 10, Harrow-roa Paddington—I found the axe and crow-bar at his house, in Marshan street, Somers-town, concealed in the cellar, covered over with a quanti of butter-flats—they were part of the tools I had left at Lloyd's-row—l did not give any account of them—I found he had taken this house : Marsham-street, where I found the tools, but he was living at that time . No. 22, North-street, Lisson-grove—I did not find him there, but his b. and things were in the house at the time.

JOHN RYAN (*police-sergeant D* 2.) The prisoner was given into m custody on the 26th of December last, by one Jones, for stealing fixture and other property from his house, No. 10, Harrow-road—I found a quan tity of pots at No. 22, North-street—I traced " No. 20, Lloyd's-row" o one of them, and found out the prosecutor, who went with me to No. 22 Lloyd's-row, and missed his fixtures and tools—he then went with me t No. 22, North-street, and found several articles, which he claimed as his—he afterwards went with me to No. 10, Marsham-street, and found the twc articles produced in a cellar in the back yard—the case was taken before the Magistrate, at High-street, who did not commit the prisoner, but held him to bail—last Sessions he did not make his appearance, and was taken on a warrant.

WILLIAM JONES. I am an excavator. In consequence of the prisoner's robbing me, I went in search of some of my property, and it turned out that some of the prosecutor's property was on the same premises—I was present when he sold some scaffold-boards, pick-axe, iron crow-bar, and other things, at Somers-town—I cannot positively swear that any part of the prosecutor's property was on my premises.

NOT GUILTY.

Before Mr. Sergeant Arabin.

664. WILLIAM JOHN CLARK was *again* indicted for stealing, on the 16th of December, 1 barrow, value 16*s.*; 1 stove, value 2*s.*; 1 iron pot, value 2*s.*; 1 hammer, value 1*s.*; 80 feet of wooden partition, value 4*l.*; 16 pieces of timber, value 8*s.*; and 3 casks, value 9*s.*; the goods of William Jones.

WILLIAM JONES. I am an excavator. The prisoner applied to me about the beginning of October about a house I have on lease, No. 10, Harrow-road—I never saw him before that—in consequence of my wife's confinement she could not attend to the shop, and she wished to let the shop and parlour, and live up stairs—I put up a bill to let the shop and parlour—the prisoner applied to take the shop, parlour, and bed-room, for which he agreed to pay 10*s.* a week—he talked a good deal about his property, and being a great lease-holder of property at Tring, and various parts of the country, and having a son just out of his time, he said he wished to take my shop to put him into business—we entered into an agreement—I said I wished to have 5*l.* for my counter and shelves—we agreed for 4*l.*, which he paid by different instalments, and they became his property—he said he should open it as a beer shop, as his son understood the business—he fitted

up the shop in a very poor way, and no sooner had he got it fitted up, than I saw a bill in the window for the shop to let, and he let it to another man without my consent—I still lived on the premises—the bill was taken down in four or five hours—I had not time to remonstrate with him about it—he told me he had re-let it for 15*l.*—the young man came and lived there—he is not here—about the 16th of December, as I had a foundation to dig out in East-street, Manchester-square, I brought a young man down with me to get my wheel-barrow out of my yard, and it was not to be found—I had seen it there about the 12th—I never lent it to the prisoner—he made use of it one day without my consent, and I scolded him for doing so, and turned his lime out of it—the stove was taken out of my shed—he had nothing to do with the stove—I did not miss it till I found it on some other premises which he had taken—I also found the iron pot on some premises of his—I had kept that and my hammer in the shed, and some iron piping—after he got possession of the parlour, he pulled down the wooden partition, and placed it in the shed—I asked him what business he had to do that—he said, "Oh, I shall make it all good, I have got it safe in the shed, and when I leave your house I shall make it good."

Q. How was he to make it good? *A.* By replacing it—I am sure he agreed to do that—the sixteen pieces of quartering were in my shed—they had nothing to do with the partition—he absconded from my house, and stripped the place—the young man who took the shop was no relation of his, but quite a stranger—I found him out at No. 22, North-street, Lissongrove, on the 26th of December—I knocked at the door—his son opened the door—I asked for his father, and the prisoner came—I said, "Mr. Clark, I find you have stripped my shed of all my timber, have you got it here?"—he said, "No, I have not"—I said, "What have you done with it?"—he said, "I have got nothing belonging to you"—I had the policeman behind me—I called him, and as soon as he saw the policeman he said, "If I have got any thing belonging to you, Mr. Jones, it shall be forthcoming to-morrow"—I said, "No, we may as well have it to-night, if there is any thing here"—he pulled a door too on the left-hand side—he had a light in his tap-room—I took that, and went into the bar, and directly recognised my partition—it had been cut to pieces, and used to fit up a beer-shop at this house—it was used to make the bar—he had no right to take this partition—he had advertised this shop for sale—on searching further, I found some of my partition had been cut up to make cupboard doors of—I also found some more things; and two days after I found the stove at the back place at that house, and some iron guttering of mine—I found part of the quartering at No. 22, North-street, that had never belonged to the premises, but was my own private property—I also found my casks on those premises—I understand he had sold them to a tenant who was coming in the next day—I had never lent them to him—he had no right to them—they were taken out of my yard—when we found the partition had been used to fit up this new beer-shop, I said to him, "Now, most probably, you can inform me where I can find my barrow and casks"—he said, "Really, I cannot; I don't know where your barrow is"—on Sunday morning, the 31st, Carrington gave me information about it, and I found it in the possession of a broker—I have a witness who was present when I showed him what was included in the fixtures, for which he was to pay 4*l.*

Cross-examined by MR. DOANE. *Q.* Do you live in the same house with your family? *A.* Yes—I let the shop to him at 10*s.* a week, which he was to pay regularly—he was to remain there twelve months; but after a fortnight he underlet it to a person named Loader, who came, and the prisoner went away—he never let me know he was going—Loader is not there now—he has absconded—the prisoner paid me 4*l.* for the fixtures—he said 5*l.* was rather too much for them—he said the fixtures were hardly worth the money—I know the prisoner's son Samuel, he is a little boy.

Q. Did you not say, on the prisoner's stating to you that it was a great deal to give for such rubbish, "You must remember there are a great many articles in the yard and shed?" *A.* Never—I will swear I never said any thing of the kind—I never mentioned a shed or yard to him at all—the wheel-barrow was not in the yard—I cannot exactly say where it was—it might have been in the yard—I saw him using it on one occasion, when he had some lime in it, but that was without my consent—I never saw him using it—it stood up in the yard—the quartering was in the shed—I went to his house on the 26th of December—he came to me in October—he did not leave altogether—he kept the shed open as a coal-shed—Loader only occupied the shop and parlour, which he used as a coffee-shop—I let the use of the shed with the rest—I went before Mr. Rawlinson about this—he would not commit the prisoner—we were not bound over, but he was held to bail.

ELIZABETH JONES. I am the prosecutor's wife. I let the place to the prisoner—he took it by the week—it was the shop, parlour, and use of the shed and the bed-room—we let it to him himself at 10*s.* a week—he was to have it one year, according to agreement—he was not to have the use of the barrow—I saw the barrow in the yard shortly before Christmas—I went to the prisoner, who had coals and coke in the shed—I said to him, "Where is my husband's barrow?" as he wanted it to make use of—he said, "Woman, I know nothing of the barrow"—I said, "Where is the washing-tub?"—he said he knew nothing of that—it is called a cask in the indictment—I had never sold him the barrow, nor given him the use of it—he had no business with the partition—he took it down without our consent, and put it into the shed at first—the quartering was in the shed—it belonged to my husband, and the stove was in the shed—I never sold it to the prisoner—he had no right to move it—we have never had one farthing of the rent—Loader kept the shop about a month or five weeks, and found himself ruined—he took his goods away, and locked the shop up—we have lost the use of the shop—we found the prisoner at another beer-shop.

Cross-examined. *Q.* Will you swear he never paid a farthing of the rent? *A.* He paid for the fixtures—he did not pay 16*s.* rent to me, nor to my husband.

WILLIAM JONES *re-examined by* MR. DOANE. *Q.* Had the prisoner never paid you any rent? *A.* No—I never received a single shilling for rent—I did not put in a distress—one time a distress was put in on me, and what was paid I never had any account of—the distress was put in on my goods, but did not touch his property—I believe 16*s.* was paid.

COURT. *Q.* Who put in the distress? *A.* He advised my landlord to do it—he said he owed 16*s.* rent—no property was distrained, except mine—he said, "I will pay you the 16*s.* if you will give me the receipt"—he

thought then to make the property his own, but he never paid any thing to me.

Mr. Doane. *Q.* Who was the rent owing to? *A.* The ground landlord—the prisoner owed me more than 16*s.* at that time—the distress was put in on my property—the prisoner paid 16*s.* to the broker, and the distress went off—that was the only rent he paid.

Court. *Q.* How was he to get possession of the premises? *A.* He thought to do it—his rent is 10*l.* up to this time.

John Ryan. I am a policeman. On the 26th of December the prosecutor came to me—I went to No. 22, North-street, to take the prisoner and his son into custody, for stealing fixtures and other property—on looking round, the prosecutor found the stove, some pieces of wood, and a partition, fixed up as a bar—he asked the prisoner about a barrow—the prisoner denied knowing any thing about it—the prosecutor took the partition down—the prisoner said he had bought that—I suppose he meant of Mr. Jones—I took him to the station-house—he was remanded, and on examining the premises again, the prosecutor found an iron spoon and a hammer—on the 31st of December, in consequence of information, I went with him, and found the barrow in Verily's shed, an iron gutter, and some timber was also found.

Samuel Verily. I am a broker, and live in Devonshire-street, Lissongrove. I bought the barrow of the prisoner, with other articles—there is no mark on it—Mr. Rawlinson gave it up to me, and I sold it.

Cross-examined. *Q.* He sold you other things? *A.* Yes—a machine, and part of another machine, and some weights.

William Carrington. I am a carpenter and builder. I was mentioning my robbery to Verily in conversation, and I found he knew something of the prisoner—I have had no conversation with the prisoner about this matter.

William Jones *re-examined.* It is my barrow—I had worked it a good many days, and know it well.

Mr. Doane *called the following witnesses for the Defence.*

Samuel Clark. I am the prisoner's son. I remember his going to Mr. Jones in October, and agreeing for his premises—there was a dispute between my father and him about the sum of 5*l.*—Mr. Jones wanted 5*l.* for the lumber about the premises—my father said it was a great sum to pay for such lumber, and at last they agreed he should give 4*l.* for the lumber, except certain articles which Mr. Jones mentioned for his use—there was a screw-wrench, a screw-driver, and two or three pieces of iron.

Q. Among the things your father bought were the articles in the shed mentioned? *A.* Yes; articles in the shed or about the premises—there was a quantity of ginger beer bottles, and wood, two or three oyster tubs, a crow, an old stove, and a quantity of old wood besides—I am certain they were included in the articles he was to pay the 4*l.* for.

Court. *Q.* Did he sell the partition? *A.* No—my father did not take the partition down—there was no tub there—when my father let the premises to Loader, Loader took down the partition, and put it into my father's shed, he being Loader's landlord—my father considered himself Loader's landlord—about a fortnight after my father was in the premises Jones's landlord put in his broker, and took all the things away from Jones

—there was not sufficient to pay, and he was about to levy on my father—I live with my father.

Q. What trade is he? *A.* He has been living on his property in th country—I live with him because he is so afflicted in his hands—he ha kept beer-shops—he was about to have one for my brother in the Harrow road, which he took of Jones, and another in North-street—Loader wer off considerably in my father's debt—my father was a great loser by this—he found he was likely to be involved in difficulties, and he let the premise to Loader—there was a bar fitted up in North-street, and the partitio which Loader took down was carried there—my father said he would mak the premises tenantable, in the same state as he found them—a broker wa called in to look at the barrow—my father bought the barrow and tw weighing-machines, the pots, and every thing about the premises—there i no truth in saying that the only things he bought were the shelves an counter—my father sold the place to Loader for 15*l.* after he had fitte it up.

GEORGE LINES. I am a bricklayer, and live at Paddington. I was em ployed by the prisoner to go and open some drains in the yard of thi house which I did—I used the barrow in the business—it stood in the yard—I fetched bricks and things I wanted in it—I was there two or three days doing sundry jobs—the place was so bad no one could go into it—the water was all overflowing the yard—Mr. Jones did not see me with the barrow, but he came into the yard—the water-butt was there—he abused me, and told me I ought not to move the water-butt—I said I should replace it—there were words between him and the prisoner, and the prisoner said, "I gave you 4*l.* for this old lumber, do you want it again? if so, give me my money back"—I remember that.

COURT. *Q.* Did you see the quartering in the shed? *A.* Yes, there was some old wood in the shed—Clark told me it was his stuff that he had paid for—this was just as Loader was coming into the premises, on the 14th of November.

NOT GUILTY.

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665. JOHN SMITH was indicted for stealing, on the 19th of February, 1 handkerchief, value 3*s.*, the goods of Henry Pickering Hill, from his person; to which he pleaded

GUILTY. Aged 21.—Confined Six Months.

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666. JAMES LOWE was indicted for stealing, on the 14th of February, 14lbs. 10oz. weight of leaden pipe, value 3*s.*, the goods of William Adams.

WILLIAM PEARSON. I live at No. 9, Widegate-street, Bishopsgate. About three o'clock in the afternoon of the 14th of February, I had occasion to go down stairs, and met the prisoner coming from the back-yard—I saw something bulky under his arm—I asked him who he was, and what he wanted—he muttered something, and ran away—I ran, and cried "Stop thief"—a man caught him in Half Moon-alley, Bishopsgate-street—he was out of my sight a few seconds, as I fell down, and nearly broke my knee pan—when I came up, I found part of a leaden pipe

on him—the officer came and took him—we returned with the leaden pipe, and found it corresponded with the pipe left—the front door was open—he must have gone through the house—I never saw him, to my knowledge, before—I did not know his mother, nor have I ever seen her—this is the lead pipe—it belongs to my landlord, Mr. William Adams.

EDWARD KIRBY DARLINGTON (*City police-constable No.* 11.) I took the prisoner, and found 14*s.* 10*d.*, on him.

Prisoner. I left my mother's to get some twist, and going up Half Moon-alley, I saw the door open, and the lead lying in the back of the passage—I took it up, and thinking it was of no use, I went to go home to my mother, who is a breeches-maker—I have worked for her ever since I was eight years old—I never was in trouble before.

GUILTY. Aged 16.—*Recommended to mercy by the Jury.*
Confined Three Months.

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667. JAMES BROWN was indicted for stealing, on the 2nd of February, 36 covered pots, value 10*s.*; and twelve pots of ointment, value 17*s.*; the goods of Zaccheus Hunter, and another.

JOHN TOWNE. I am in the employ of Mr. Hunter and another; they are druggists. On the 2nd of February I was drawing Mr. Hunter's truck, in which were three hampers, and two paper parcels; one was for Barclays, one for the King's Arms, and one for the Cross Keys—Barclays live in Farringdon-street—I stopped, and left a hamper there—I was there for a short time—I did not lose one there—I lost one hamper when I was at Herring's, in Aldersgate-street—I went in there a short time, came out, and one was gone—I then went to Gracechurch-street, and stopped at the Cross Keys—I left two parcels and an empty hamper in the truck—when I came back one of the parcels was gone—I saw it brought back again—I did not see the prisoner taken.

MARY TILLETT. I am a weaveress. I was in Gracechurch-street, in company with Martha Neale—I saw two paper parcels in a truck—the prisoner took one, and walked away with it—I went and told some one who was by the truck, and my friend followed the prisoner—I afterwards followed him—he went up a passage, and my friend kept close to him—I saw him brought back—I am sure he is the person.

MARTHA NEALE. I was in company with Mary Tillett—I saw the parcel taken out of the truck by the prisoner—I followed him—he went up Bull's Head-passage, and I followed him till he was taken—I gave the alarm—he was not at all out of my sight, till he got to where it was rather dark—I saw him again immediately, and he had the parcel with him.

JOHN ROBERT MOSELEY. I live in Skinner's-place, Leadenhall-market. I heard the alarm, went out, and saw nothing—I then saw the prisoner run by, and as he ran by, he threw down the parcel—I was going to take it up—some one put their foot on it, and I put my foot on it, and kept it till the prisoner was brought up in custody.

JOHN GRIMES. I am a constable of Leadenhall-market. I saw the prisoner—he turned the corner, and ran into my arms—I said, "Where are you going?"—he made no reply, but the females came up and said he had stolen a parcel.

WILLIAM BAKER. I am in the employ of Messrs. Hunter. I packed up this parcel—it contains all the articles stated in the indictment—they

belong to Zaccheus Hunter and another—I intrusted John Towne to take them out—there is a hamper missing as well.

ZACCHEUS HUNTER. I have a partner—the parcel and its contents are mine—we lost a hamper the same evening.

Prisoner. I never was in trouble before in my life—my father was sick of a fever.

GUILTY. Aged 20.—*Recommended to mercy by the Jury.*

Transported for Seven Years.

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668. HENRY THEOBALD was indicted for stealing, on the 3rd of February, 1 cape, value 8*s.*, the goods of John William Seaton.

ALONZO O'BRIEN. I live with my father, at No. 6, Gainsborough-court. I know the shop of Mr. Seaton, in Fleet-street—he sells clothes—about half-past eight o'clock in the evening, on the 3rd of February, I saw the prisoner pull the cape off the nail—I was looking into the shop window—he did not go in—he stood outside; and when he pulled it down, he walked on—it was hanging outside—he put it under his arm—I was astonished at the moment—a man went in, came out—he followed the prisoner, and spoke to the watchman, who took him—I am sure he is the same person.

JOHN SPARKS. I am a watchman. I saw the prisoner, and took him into custody—I found him with the young man who had hold of him by the collar, and the young man had the cape under his arm.

JOHN WILLIAM SEATON. I am the master of this shop. This is my cape—(*looking at it*)—I know nothing of the prisoner.

GUILTY. Aged 27.—Confined Six Weeks.

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669. CHARLES STONE was indicted for stealing, on the 6th of February, the carcase of a sheep, value 30*s.*, the goods of John Onion.—2nd COUNT, stating it to be 70lbs. weight of mutton.

WILLIAM JAMES. My master's name is John Onion; he is a butcher, and carries on his trade at Rotherhithe. On the 6th of February I was with my master's cart in Newgate-market—the cart was waiting in College-market, Warwick-lane—there were four carcases in the cart—I was absent to get some meat, for five minutes—I put the meat into the cart, and missed one sheep—I went down Warwick-lane, and saw the prisoner with the carcase on his shoulder—I took him into custody, and brought him back—I know it was one I had in the cart—I can swear it belonged to my master—I did not know the prisoner before—I might have seen him in the market, but never spoke to him in my life before.

JOHN SPENCER (*City police-constable No.* 36.) I took the prisoner with the carcase on his shoulder.

Prisoner. A man called me and asked me if I wanted a job—I said, "Yes"—he gave me the sheep to carry to Water-lane—the butcher came and said I stole it—I did not know it was stolen—I could not see the man that gave it me to carry.

WILLIAM JAMES *re-examined.* I was absent about five minutes—he was going down Warwick-lane towards Water-lane, about fifty yards from the cart.

GUILTY.* Aged 18.—Transported for Seven Years.

OLD COURT.—*Tuesday, February 27th*, 1838.

Second Jury, before Mr. Recorder.

670. JOHN JONES and WILLIAM ROBINSON were indicted for stealing, on the 9th of February, 112 yards of worsted cloth, called lasting, value 12*l.*, the goods of John Newell, in his dwelling-house.—2nd Count, stating it to be in the dwelling-house of Thomas Hitchings.

George Robinson. I live at No. 3, Basinghall-street, and am warehouseman to Mr. John Newell—he rents the house of Mr. Dawson—Mr. Thomas Hitchings's warehouseman and his family sleep in the house—he is not here—Mr. Newell rents a room and the warehouse of Mr. Hitchings—it is part of the dwelling-house, and is in the parish of St. Michael, Bassishaw—Mr. Dawson does not live in the house. On the afternoon of the 9th of February the prisoner Robinson came into the warehouse on tiptoe, about two o'clock—I was at the other end of the warehouse—he went to a shelf, took four pieces of striped coloured lasting, which is made of worsted cloth, put them on his shoulder, and walked out with it—I immediately ran out after him—when I got to the door, he turned round, and saw me, and threw the goods on the pavement, ten or twelve yards from the door—he ran across the street, up Guildhall-buildings, between the two chains—as I followed him, the prisoner Jones interrupted me, and stopped me a little past the corner to prevent my following Robinson, who was in sight at the time—this was between thirty and forty yards from the warehouse—not in sight of it.

Q. Was there any means of his knowing what Robinson was about at the time he ran off with the property? *A.* I know nothing more than that he interfered when I pursued—the officer took up the goods.

Cross-examined by Mr. Clarkson. *Q.* Explain more about the house—does Mr. Newell live there? *A.* No—I live there as his servant—I live in the warehouse, in the room, which is part of the dwelling-house—Mr. Hitchings originally held the lease of the warehouse—I sleep in the warehouse—Mr. Hitchings does not occupy the dwelling-house—his servants sleep in the upper part of the premises—Mr. Hitchings has the lease of the whole premises—he has no partner—he is a commission cloth-agent—I understand, from his warehouseman, that he has the lease—the warehouseman occupies the upper part of the premises, and I the warehouse—the goods were taken from the warehouse—you can get from the dwelling-house to the warehouse without going into the open air—there are two ways—the place is let out as a place of business—Mr. Newell has nothing to do with the dwelling-house—I have a room in it, in consideration of my salary—it is on the same floor as the warehouse—there is a door from the warehouse to the dwelling-house, and from my room also—Jones was between the two chains.

John Gilbert. I was standing in Basinghall-street, on the 9th of February, just at the corner of Guildhall-buildings, and saw the prisoner Robinson with the four pieces of cloth on his shoulder, and the last witness running after him—he threw them down—I picked them up, and took them to the warehouse—previous to seeing Robinson run off with the property, I had seen the two prisoners together, walking up and down Basinghall-street—it might be half an hour or an hour before—they appeared

talking together—I did not notice how long they were together—I saw them pass along two or three times within a quarter of an hour or twenty minutes.

Cross-examined. *Q.* What were you doing there? *A.* I am a porter, standing there for work—I have done so thirty-three years.

WILLIAM BROWN. I was in Basinghall-street, and saw Robinson with the goods on his shoulder, and the witness in pursuit—I did not see any thing of Jones till after Robinson threw the goods down, and then Jones ran against the witness and caught hold of him to prevent him following Robinson—I followed Robinson till the policeman knocked him down—I then pursued Jones, believing he was connected with Robinson—Robinson was running when the policeman knocked him down—the street-keeper had struck at him before, but could not secure him—Jones was secured by the people about.

WILLIAM BILLETT. I was in the Bell public-house, in Basinghall-street, on the 9th of February—I heard an alarm given, and assisted in stopping Jones.

JOHN MORRIS. On the afternoon of the 9th of February, I was on duty in Guildhall-yard, and heard a cry of "Stop thief"—I saw Robinson running from Guildhall-buildings as fast as he could—I ran across—he ran away so swiftly that the only way I could secure him was by knocking him down.

(*Property produced and sworn to.*)

JONES—GUILTY. Aged 18.
ROBINSON—GUILTY. Aged 16. } Transported for Ten Years.

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671. JAMES MORRIS and THOMAS LINDON were indicted for stealing, on the 31st of January, 288 sheets of printed paper, value 5*s.*; and 1 blanket, value 4*s.*; the goods of Andrew Spottiswoode, the master of James Morris.—2nd COUNT, stating it to be 12lbs. of paper.

EDWARD EXTON. I am a watchman, employed in Holborn. Between five and six o'clock on the morning of the 31st of January, I saw the prisoner Lindon cross from Shoe-lane to Field-lane, at the bottom of Holborn-hill—he had a bundle of paper—I stopped him, and asked what he had got—he said it was paper he was going to sell as waste—I asked him where he brought it from—he said a man had given it to him, at No. 12, Plough-court, where he lived—I took him to the station-house—he was allowed to go away, on leaving the property, and promising to bring the man who gave it to him—he did not return, and was afterwards apprehended—the paper was tied up in a blanket.

THOMAS FREDERICK COOK. I am overseer of the press department of Mr. Andrew Spottiswoode's printing office, in New-street-square. Lindon worked in that department up to the 31st of December—I have seen the paper produced—part of it belongs to a work which was going on at the time—it is paper which Mr. Spottiswoode has to make good if wasted—it is waste paper—the blanket it is in is also Mr. Spottiswoode's property—I know it by a mark on it—we have missed paper several times—I saw part of the paper on the premises on the previous night—Morris was employed there as stoker—he receives the keys at five o'clock from Mr. Shaw, to go in to light the fires—he would have the key of the place this paper was in with the other keys—the paper was safe over night—I did not miss it till about noon, when the officer came to inquire about it.

Q. Was it possible for anybody to get possession of it besides Morris? *A.* Certainly not—he was in possession of the key—the blanket is worth 4*s.*, and the paper 5*s.*, as waste paper—I cannot prove that he had the key that morning, except from having heard it.

LINDON—GUILTY. Aged 48.—Confined Three Months.
MORRIS—NOT GUILTY.

Before Mr. Sergeant Arabin.

672. SAMUEL COTTERELL was indicted for stealing, on the 1st of April, 34 yards of cloth, called buckskin, value 7*l.* 10*s.*; and 1 canvas wrapper, value 1*s.*; the goods of John Underwood Coy.

MR. DOANE *conducted the Prosecution.*

THOMAS MATTINSON. I am foreman to Mr. John Underwood Coy, warehouseman, in Wood-street, Cheapside. On Saturday, the 1st of April last, about eight o'clock in the evening, I packed up this cloth, and took it to Aldermanbury, near Love-lane, and gave it to Rock to carry to Everett and Co., of Holborn—he was to carry it to oblige me—I was here when two men, named James and Taylor, were tried—the property was produced then—it was the same I had delivered to Rock—it has since been sold—we have the wrapper here—the cloth was worth 7*l.* 10*s.* 2*d.*

Cross-examined by MR. PHILLIPS. *Q.* Has your master any partner? *A.* No.

JOHN ROCK. Iw as wagoner to Messrs. Kenworthy at the time in question. I remember Mattinson coming and giving me the cloth—I placed it on my wagon, and covered it over with a heavy sheet, near the Church at the bottom of Aldermanbury—I should not consider that half a mile from Gutter-lane—when I got to Everett's it was gone—I afterwards saw it in possession of the officer at Guildhall, and, to the best of my belief, it was the same property.

Cross-examined. *Q.* You are not sure of it? *A.* It was the same parcel as I received, but I did not see the inside—I should suppose Gutter-lane is more than a quarter of a mile from Aldermanbury.

MR. DOANE. *Q.* Were you obliged to be at your horses' heads? *A.* Yes—I could not see what was done to the wagon.

JAMES CUTHBERT. I am inspector of the watch of Bread-street ward. On the 1st of April, about eight o'clock, I was in Gutter-lane, and saw the prisoner, and two other persons with him—all three together—Taylor was carrying the property in question under his arm—I followed, and at last took him into custody, and took care of the property—some time after I took James, the second man—they were tried here, and the property was then produced—I apprehended the prisoner last Thursday week.

COURT. *Q.* Did you see the cart at the time in question? *A.* No—they were in Gutter-lane, right opposite Goldsmith's-hall, not a quarter of a mile from Aldermanbury.

NOT GUILTY.

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673. JOHN BARBER was indicted for stealing, on the 14th of February, 2 shirts, value 2*s.*, the goods of Samuel Brown Smith, to which he pleaded

GUILTY. Aged 27.—Confined Six Months.

674. WILLIAM GALLOP was indicted for stealing, on the 3rd of February, 1 pewter-pot, value 1*s.* 6*d.*, the goods of Thomas Mapp; to which he pleaded

GUILTY.† Aged 18.—Confined Six Months.

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675. JOHN JAMES CARRON was indicted for stealing, on the 12th of February, 17lbs. weight of lead, value 2*s.* 6*d.*, the goods of William Norton and another.

WILLIAM HODGES. I am foreman to Messrs. Piper and Taylor, plumbers, in Eastcheap. About twelve o'clock, on the 12th of February, I was superintending some work at No. 34, Eastcheap, which are premises being fitted up—the prisoner was employed for Mr. Smith, a builder there, as a glazier and plumber—Elizabeth Tutt came round to me and gave me information—I went up to see if I could see anybody, but I could not—at last she pointed the prisoner out to me in a room on the first floor—he was employed on the premises, and had a right to be in that room—I sent for an officer, who took him in charge—I looked about for the lead, and found it concealed under a heap of rubbish, about four yards from where he stood—two pieces were in a basket, and one piece loose—I said, "Here is some lead"—he replied, "That is my basket, I will swear to it," and said he had lost it about a quarter of an hour—I compared the lead with a place where I found some lead removed, and it tallied with the rest on the roof particularly—I have not the slightest doubt of it.

ELIZABETH TUTT. I am a widow; my premises look into those of the prosecutor. On the 13th of February, about twelve o'clock, as near as I can say, I saw the prisoner cutting the lead off the top of the house which the men were employed in repairing—he had a chisel in his hand, with which he was cutting the lead—I was up stairs, two stories high, and he was rather below me—I could see him distinctly—after he had cut the lead he put two pieces into a basket, and one piece he carried away in his hand—I saw him cut three pieces—I opened my window, and said to him, "What are you going to do with that lead?"—he said, "It is all right"—I entertained a different opinion, and went round to Mr. Hodges, and told him of it—I have no doubt of the prisoner being the person I saw—I said so directly I saw him again—the prisoner said, "I will make you swear to it, and I will *serve you out* for it."

JOHN ANDREWS (*City police-constable No.* 28.) I was sent for, and as soon as I got up stairs Mrs. Tutt pointed out the prisoner as the man who had cut the lead—some rubbish was turned over, and the lead was found in a basket—as soon as it was found the prisoner said that the basket was his, and he would swear to it—he said to Mrs. Tutt, "Are you sure I am the man?"—she said, "Yes"—he said, "I will make you swear to it; and if you do, I will *serve you out* for it."

WILLIAM NORTON. I have a partner—the house in question belongs to us jointly—we are the lessees of the premises—I know nothing more of the prisoner than his being employed on the premises—they were being repaired on our account.

Prisoner's Defence. On the day in question there were four different sets of men working on the premises at the same time—I was laying 200lbs. weight of new lead on the lower skylight for Mr. Stevens, the builder—the foreman of the plumbers and the female came round, and

l this lead in my basket—I swore to the basket, and said to the ın, "If you swear to me, I will *serve you out*"—I meant to enter an ı against her for false swearing.

GUILTY. Aged 32.—Transported for Seven Years.

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6. PETER O'BRIEN was indicted for stealing, on the 14th of Feb-, 10lbs. weight of pork, value 4*s.*, the goods of Thomas Taylor, and ıer.

ıomas Taylor. I have a partner—we carry on the trade of salesmen :wgate-street. On the 14th of this month I saw the prisoner take the off the board in front of my shop—I immediately ran after him, and the pork from him, and gave him into custody—I did not know him e at all.

chard Matthews. I am a policeman. I took him into custody—I hed him, but found nothing on him.

he prisoner put in a petition for a lenient sentence, and stating that he n very great distress.)

GUILTY. Aged 48.—*Recommended to mercy.*
Confined One Month.

NEW COURT.—*Tuesday, February 27th*, 1838.

Fifth Jury, before Mr. Common Sergeant.

7. RICHARD BALSON was indicted for stealing, on the 2nd of uary, 4 blankets, value 16*s.*; and 1 counterpane, value 3*s.* 6*d.*; the s of Joshua Staley; to which he pleaded

GUILTY. Aged 21.—Transported for Seven Years.

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8. HENRY NASH was indicted for embezzlement, to which he led

GUILTY. Aged 48.—Confined Six Months.

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9. MARY ANN KING and ELIZABETH BEVAN were indicted :ealing, on the 5th of February, 2 curtains, value 2*s.*; 3 pillows, value *d.*; 2 sheets, value 4*s.*; 1 blanket, value 1*s.* 6*d.* 2 counterpanes, : 3*s.*; 3 coats, value 1*s.* 6*d.*; 2 petticoats, value 2*s.*; 2 salt-cellars, : 1*s.*; 2 glass tumblers, value 1*s.* 6*d.*; 3 pewter pots, value 1*s.* 6*d.*; ? plates, value 3*d.*; the goods of Agnes Tucker.

ınes Tucker. I lodge at No. 12, Butler's-alley, Milton-street. has lodged in the house four years—King's brother brought Bevan lge there—on the 5th of February I went home, and missed the cur- and all the articles stated—the two prisoners were gone out, and ed out all night—the next day my son-in-law met them in Prince's-, by the Bank, and took them—I have got some of the things—the ins, and this counterpane—I do not know what Bevan is—she had there about two months—I never knew her to go on the town—she with King's brother as his wife.

ıes Taylor. I live at No. 6, Milton-street, and am a marine store t. King came to my house on Monday night, and said, "If you please

great distress—I know her brother has given them but one mea
these things were all whole when they took them, but now they :
pieces—the other things were sold at another marine store c
do not think King would have done any thing wrong herself.

KING—GUILTY. Aged 14.—Confined One Montl
BEVAN—GUILTY. Aged 19.—Confined Six Mon

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680. ALFRED KRELLE was indicted for stealing, on th
February, 2 pewter pots, value 2*s.*, the goods of Stephen Honey

STEPHEN HONEYSETT. I keep the Rose and Crown, in Bar
close. About a quarter past eleven o'clock on the 20th of Feb
prisoner came into the tap-room, and then went into the yard—
two pots—my man pursued the prisoner, and I went after him
him drop one pot, and the watchman picked up the other.

JAMES BARCLAY. I followed the prisoner—he threw one pot
took it up—they are both my master's—(*looking at them.*)

Prisoner. I was there from half-past five o'clock to eleven
went back to ease myself—I could not bring them through the h
out their seeing me—I came out, and was going home—I had
all on me. *Witness.* Yes, he threw one at me.

WILLIAM JOHNSON. I am a watchman. I saw the prisoner
I pursued—he threw one pot down, and I took it up—he wa
by my brother officer, and I went and took him.

Prisoner. I deny it—I worked for Mr. Lucas, a chemist an
in the Poultry, for two years and a half.

(The prisoner received a good character.)

GUILTY. Aged 18.—Confined One Month.

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681. JOHN COLEMAN was indicted for stealing, on the 17
ruary, 1 dressing-gown, value 1*l.* 15*s.*, the goods of Stephen Wil

682. GEORGE ALLEN and JAMES COX HARRINGTON were indicted for stealing, on the 9th of February, 1 till, value 6*d.*; 2 pence, 9 halfpence, and 72 farthings; the goods and monies of Thomas Bilsbough; and that Allen had been before convicted of felony.

THOMAS BILSBOUGH. I live at No. 18, Golden-lane, and am a cow-keeper. About eight o'clock in the evening of the 9th of February, I heard a cry of "Stop thief"—my wife called me, and I found Allen in custody—my till was on the pavement, and the halfpence and farthings strewed about—I had had some halfpence and farthings in my till, which was placed in the counter of the shop—this is my till—(*looking at one produced.*)

ANN EGERSDOFF. I was going past Golden-lane this evening, and saw Harrington standing outside the prosecutor's shop—he looked very hard at me—I turned to look again, and saw Allen lying on Mr. Bilsbough's counter—I said to the other prisoner, "I see what you are doing, robbing the till;" and Harrington said, "Hush! hush! hold your tongue"—I turned back and said to Allen, "Come out"—he drew the till out of the counter, and ran to the door with it in his hand—I gave the alarm—I do not know what became of Harrington, I lost him—I saw him at the window for about two minutes—he was walking by, and looking in occasionally.

Cross-examined by MR. PHILLIPS. *Q.* You were looking in also? *A.* Yes; I should not have looked if he had not looked at me—there was no harm in looking in—I never saw the prisoners together—I cannot tell whether they were acquainted.

HENRY ELLIOTT. I live at No. 27, Golden-lane. I was outside cleaning my window, which is opposite to the prosecutor's—I saw the two prisoners pass and re-pass the prosecutor's shop for some minutes, and then I saw Allen enter the shop and throw himself across the counter—Harrington was watching, and frequently peeping in—I saw Allen take the till from the counter, and before I could get across he was seized by a person—Harrington struck the person who seized Allen—he slipped from that person, and I seized Allen with the till in his possession—the other got off.

Cross-examined. *Q.* Had you ever seen Harrington before? *A.* Yes, I have seen him in the lane frequently—I am certain of his person.

HENRY ISAACS. I produce a certificate of the prisoner Allen's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person who was then tried in this Court.

ALLEN*—GUILTY. Aged 18. } Transported for Seven
HARRINGTON*—GUILTY. Aged 18. } Years.

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683. WILLIAM DUNDERDALE was indicted for stealing, on the 31st of February, 1 handkerchief, value 4*s.*, the goods of John Birch.

JOHN BIRCH. I live at Uxbridge. I had a handkerchief in my shop on the 31st of February—I lost it—this is it—(*looking at one.*)

Prisoner. I went into his shop for two sacks for Mr. Ward—two of the women came out and said Mr. Birch was not at home; I went to Jolly Ostlers, and there Mr. Birch came and took me.

HENRY HAMES. I am an apprentice to Mr. Birch. About half-past [illegible] I placed the great coat and this handkerchief—(*looking at it*)—

kerchief under some dung, close by where the prisoner had see

Prisoner. I went to the water-closet, and Mr. Ward did r near the dung.

JOHN BIRCH *re-examined.* I went to the Ostler's, and found kerchief under the dung, in less than five minutes after it was n

Prisoner. I know nothing about the handkerchief—I went fo and then they came and took me.

NOT G

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684. MICHAEL BROOKER was indicted for stealing, o of February, 4 pieces of wood, value 2*s.*, the goods of Hugh M'

CHRISTOPHER DOUGLAS. I am foreman at the water-wo Brentford Company, and am servant to Mr. Hugh M'Intosh. I some wood—part of it is here—(*looking at it*)—I believe it to it is not branded—it does not fit any other wood—this one is a has been prepared to go into a cavity of the brick-work, an sponds with the wood we have for that purpose—there are more.

Cross-examined by MR. BALLANTINE. *Q.* You do not me these are used for that purpose? *A.* No, only this one—there more on the premises—I did not know of these being missed ti them at the station-house—I have known the prisoner twelve m has borne an honest character.

THOMAS POYNTON (*police-constable T* 156.) I met the p the 10th of February, at a quarter past five o'clock in the mo this wood on his back—I asked if he had been getting some woo "Yes"—I took him to the station-house, and he said he had f the lane—I had been round on duty all night, and I know there there.

Cross-examined. *Q.* Where had you been? *A.* Backward wards in the lane all night—I had been down the lane an hour

I searched the prisoner's pocket, and found this property in it—she was on the premises.

Prisoner's Defence. I came a stranger to England, and I had no one to do any thing for me—I got a place to be more respectable—I had nothing to keep me—I took these with the intention to pawn them, and when I got my wages to take them out—I took them to the pawnbrokers they would not lend me much, and I took them back—the washer woman, who wanted my place, told my master of it, and I was taken by the officer—I lived a quarter of a year at Mr. Berry's, a cook's shop in the Minories.

GUILTY. Aged 24.

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686. ELIZABETH M'LAREN was *again* indicted for stealing, on the 26th of December, 1 table-cloth, value 3*s.*; and 1 blanket, value 4*s.*; the goods of Joseph Jacobs, her master.

MARIA JACOBS. I am the wife of Joseph Jacobs. The prisoner was in our service in December last, and when she was gone I missed a table-cloth, a blanket, and several other things—these are my articles—(*looking at them*)—I have no doubt of them at all—my name is on the table-cloth.

JAMES HENRY WILLIAMSON. I am a pawnbroker. I have produced a table-cloth and blanket—the prisoner pawned the table-cloth on the 27th of December—I cannot say who pawned the blanket.

JOHN STARLING. I took the prisoner, and on her found the duplicate of the table-cloth.

Prisoner's Defence. These things are mine—I bought them of a woman that was going to Scotland.

GUILTY. Aged 24.—Transported for Seven Years.

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687. WILLIAM SHELLS was indicted for stealing, on the 15th of February, 1 hat, value 2*s.*; 1 opera-glass, value 5*s.*; 2 medals, value 4*l.*; 1 cloak, value 5*l.*; 1 coat, value 1*l.*; and 1 apron, value 10*s.*; the goods of George Warrener; 1 cloak, value 15*s.*, the goods of Susan Warrener; and 2 medals and cases, value 4*l.* 4*s.*, the goods of Thomas Browning Simons; in the dwelling-house of the said George Warrener and another: and MARY SHELLS for feloniously receiving 1 hat, value 2*s.*; 1 opera-glass, value 5*s.*; and 1 cloak, value 15*s.*; part of the aforesaid goods; well knowing the same to have been stolen; against the Statute, &c.

GEORGE WARRENER. I keep the George and Vulture Tavern, Cornhill; I have a partner, named Thomas Browning Simonds. The prisoner was employed as extra waiter—our house was shut up at half-past twelve o'clock on the night of the 15th of February—I had a cloak, a hat, an opera-glass, and the other things stated in the indictment, all safe—I missed them the next morning—they are here now—these are the things—(*looking at the property*)—the value of the whole is 5*l.* or 6*l.*—I should say above 5*l.*—I looked at the shutters the following morning, after the discovery; they did not appear to have been broken open.

CHARLES DREWETT. I live with the prosecutor. I fastened the window-shutters on the night previous to the robbery, at half-past six o'clock—I did not look at them the next morning.

MARY ANN SPENCER. I am servant to Mr. Warrener. It is my business to open the house—on the morning of the 15th of February, at half-

past eight o'clock—I found one shutter was not fastened—it was put too, and fastened with a bit of wood—it was not bolted as it usually was—that is all I know about it.

JOHN PAWLEY. I am servant to Mr. Attenborough, a pawnbroker. On Thursday morning, the 15th of February, about a quarter past eight o'clock, the female prisoner came to me, with a lady's cloak, and pledged it for 10*s.*—on the Saturday morning after there was a hand-bill came round, and we sent for Mr. Roe, the officer—I am sure the female prisoner is the person who pawned it—I have not a doubt of it—I went with the officer, and found the corresponding duplicate at the prisoner's house—this is the duplicate, and this is the cloak—(*producing one.*)

GEORGE WARRENER *re-examined.* This is my mother's cloak—her name is Susan—these medals are my partner's—(*looking at them.*)

JOHN ROE. I am an officer. I found this cloak—in consequence of other circumstances I went to Lime-street, Fenchurch-street, and saw both the prisoners there—I said to the female, "You pledged a cloak at Mr. Attenborough's last week, how did you come in possession of it?"—she made no answer—I asked her again—she said, "It is easily explained," nodding to her husband—the male prisoner, I believe, is her husband—I searched the cupboard, and found three duplicates, one for an opera-glass pawned on the 16th of February, and a hat on the 15th of February, for 1*s.*, and the one of the cloak—I searched the male prisoner, and found these two jewel-cases (*producing them*) in his trowsers pockets—I then asked him where the rest was—he said at a person's house, of the name of Stafford, in Tibberton-street, Borough—I went there, and the gentleman's cloak and the other things were produced by Mrs Stafford, with a bunch of keys; and one of the keys fits a drawer in the prosecutor's house.

GEORGE STAFFORD. On the Thursday or Friday morning, the male prisoner came to my house and brought these things, which I afterwards gave to the officer—(*looking at them.*)

EDWARD MALLADS. I produce a hat which was pledged at our house on the 15th, by the female prisoner.

GEORGE WARRENER *re-examined.* The shutter was shut by a wooden wedge which was put in to keep it too—the prisoner must have secreted himself in the house the night before, and got out at the window, and put the shutter too after him—I believe the prisoners are man and wife—we have employed the man as extra waiter for fifteen years.

William Shell's Defence. It was dire necessity which caused me to do it—I went to the house—finding it open, I went in and took the articles—I neither opened any drawers, nor broke any doors or windows.

WILLIAM SHELLS—GUILTY. Aged 34.—*Recommended to mercy by the Prosecutor.*—Confined One Year.

MARY SHELLS—NOT GUILTY.

OLD COURT.—*Wednesday, February 28th,* 1838.

Third Jury, before Mr. Sergeant Arabin.

688. ELLEN BARBER was indicted for feloniously uttering coun-

n, having been previously convicted as a common utterer; to which led

GUILTY.—Transported for Seven Years.

was another indictment against the prisoner.)

THOMAS COTTON was indicted for stealing, on the 7th of Feb- chopper, value 18*d*., the goods of John Henn.

HENN. I keep a butcher's shop at Chelsea. On the 7th of Feb- out eight o'clock in the evening, I saw the prisoner walking up n in front of my shop—I saw him at last get on the board, hopper, and run off with it—I ran after him, and he ran into a po- arms—he had thrown the chopper away—it was picked up, and —(*looking at it*)—I did not know the prisoner before.

E HOLMES (*police-constable B* 111.) I caught the prisoner, who ing—the prosecutor's wife picked up the chopper.

r's Defence. I was passing by, and saw two boys standing there tcher came out, and they threw the chopper down—the butcher me as I was running, and went by them—they went another

GUILTY*. Aged 18.—Confined Three Months.

OHN ATKINS and WILLIAM M'NEILD were indicted for on the 2nd of February, 1 handkerchief, value 3*s*., the goods of levey, from his person.

E DEVEY. I am a tailor and draper. On Friday evening, the bruary, about a quarter before nine o'clock, I was in Grays Inn- e alone—three boys were following me, and about 100 yards up the prisoner Atkins put his hand into my coat pocket and took andkerchief—M'Neild and another boy were quite close to him—I pass it to them—I felt Atkins's hand in my pocket—I turned I took both the prisoners, but I could only secure them, and the le his escape—I have not got my handkerchief—the other must n it away.

L HUMPHREY (*police-constable G* 74.) The prosecutor gave the to me, charged with picking his pocket.

s Defence. I was going down Grays Inn-lane, looking for a en the gentleman came up to me and knocked me down.

d's Defence. When I was at Hatton-garden the prosecutor said I mpany with the other two, and that I was as close as I possibly o the other prisoner—at the next examination he stated there etween me and the prisoner, and he thought he saw the handker- ed to me—he afterwards said he thought it was passed to the who must have run away with it.

NS—GUILTY.† Aged 19.
ILD—GUILTY.† Aged 18. } Transported for Ten Years.

Before Mr. Justice Williams.

WILLIAM YOUNG was indicted for feloniously assaulting Paul Mathieu Grillieres, on the 19th of February, and cutting

and wounding him on his belly, with intent in so doing to maim and disable him.—2nd COUNT, stating it to be to do him some grievous bodily harm.

MR. PHILLIPS *conducted the Prosecution.*

CHARLES PAUL MATHIEU GRILLIERES. I am a commission merchant. I know the prisoner—last Tuesday, the 20th of this month, in consequence of what was told me, I went to No. 3, Ship-court, Old Bailey, and found my wife and the prisoner there—my wife said to me, in the prisoner's hearing, that he had called me a b—— —the prisoner told me to sit down, and he would explain it—directly I came into the room, he took a knife from his pocket, and opened it—I saw him do that—when he asked me to sit down, I said I would not sit down with a man with an open pen-knife in his hand—he said, "Sit down, you need not be afraid of me"—I said, "What do you mean by calling me a b——?"—he asked me two or three times to sit down—at last I said I would not, and a struggle took place—a woman tried to take the knife from him—my wife turned every body out of the place, and said, "Now I will have an explanation between you two about calling my husband a b——"—the prisoner said, "Yes, you are a b——, it has been told so to me, and so I believe it—I said, "Then you are another b——"—he then put his fist in my face—I avoided his knock—he gave me one, and I gave him another—after I gave him two or three punches, he thrust his pen-knife forward, and said, "This is for your guts"—he cut me an inch and a half in length, and a quarter of an inch deep, and if I had not avoided him a little, I should have been killed on the spot—Mr. Holding, the surgeon, saw me, and I showed him the wound the day after—the prisoner was taken up then.

Cross-examined by MR. PAYNE. Q. You did not go to the doctor till the day after? *A.* I went on the Sunday, about seven or eight o'clock, and it happened at half-past one o'clock in the morning—this happened in a house of accommodation—I have kept the house, and have been indicted for it—I did not keep it myself, but my wife has kept it—we were married on the 25th of June last year—she had been living many years with the prisoner before that, and, I think, had a child by him, which is about ten years old—I came to England about four years since, after the wars in Portugal, in 1833—I served there in a regiment, under General Le Mark—I deserted from my regiment—I did not desert with money—I deserted for political purposes—I belong to the Society of the Rights of Man, in France.

Q. Did not you desert with a large sum of money, and were you not tried by a Court Martial for it in France? *A.* No—I got my living when I came over here by the money I got for my pay at Portugal—I sold picture-books about the street—I would sell any thing—I have been in prison, but it was all through a conspiracy against me—it was from the information of the prisoner—I was arrested on the 3rd of June.

Q. What do you mean by calling yourself a commission merchant, when you have been indicted for keeping a b——y-house? *A.* I have nothing to do with the house—I was tried on the 2nd of January for it—I am under recognisance now to come up for judgment—Mrs. Jones kept the house when this happened—she is not my wife's sister—my wife has nothing to do with it now—she went in there for some counterpanes to wash—I sell foreign goods on commission—a Frenchman comes over, who cannot speak a word of English, and I go about with him, and act as his interpreter.

How many blows did you strike the prisoner before he used the ? *A.* All I recollect is, I struck him after he struck me—I avoided st blow—he did hit me, but I avoided it by holding up my fist—I t the blow on my fist—perhaps I gave him two or three blows after n the face—he turned his back, went into the corner, and took the nife—my wife was there at the time, and two other witnesses.

RIA DORAN. I was at the house No. 3, Ship-court, last Tuesday —Mrs. Grillieres and the prisoner were in the parlour together, and dispute—I went and fetched the prosecutor, and when he came into arlour I walked out—I heard them quarrelling, but what the words I cannot say—after Mr. Grillieres was in the parlour some time I in, and saw the prisoner standing by the side of the window—Mr. eres called out, "Oh, God, I am stabbed!"—a watchman came in diately and took the prisoner into custody.

oss-examined. *Q.* How long had Mrs. Grillieres been in the house you went for Mr. Grillieres? *A.* I think between two and three —it was by Mrs. Grillieres's desire that I fetched her husband—he directly with me—I told him his wife wished to speak to him—I known this house about five weeks.

N HAIR. I was at the house No. 3, Ship-court, on Tuesday week, aw the prisoner there—I remember Mr. Grillieres coming in—I saw fe in the prisoner's hand—I said to him, "For God's sake put that "—he made use of bad words—I said, "For God's sake don't stab the put that in your pocket"—he said, "You had better get away, or I do you some serious injury"—I then went out of the room—I came again—he had the knife then in his hand open, and he stabbed the cutor—he thrust it at him, and he said he would have the French g a bad word) life—I tried to take the knife from him, and struggled him, but could not get it from him—Mr. Grillieres said, "Oh, my I am stabbed."

oss-examined. *Q.* What are you? *A.* I am sorry to say I am an tunate female—I am in the habit of frequenting the house—I cannot ow long Mrs. Grillieres had been there that day—they kept the house ous to that—the prisoner had the knife open in his hand—I remained till it was all over, and struggled with the prisoner after he stabbed rosecutor—there is the mark on his eye now.

HN BOLTON. I am a watchman. I went into the house on hearing of "Murder," and saw the prisoner there—he had a penknife with blades in his hand—I took him to the station-house—the officer of the took the knife from him.

oss-examined. *Q.* He made no resistance? *A.* No.

ILLIAM HOWELL. I was constable of the night. I produce the pen- , which I took out of the prisoner's waistcoat pocket, between one and o'clock on Tuesday morning.

oss-examined. *Q.* It was not concealed at all? *A.* No—it was in aistcoat pocket.

HARLES HOLDING. I am a surgeon. On Tuesday week I examined rosecutor, and found a wound on the belly, about an inch in length quarter of an inch deep—it was such a wound as this knife would ce.

oss-examined. *Q.* What had it cut through? *A.* Through the fat, a little to the right of the navel.

COURT. *Q.* Suppose it had gone the entire depth of the blade, would it have been dangerous? *A.* Certainly it would—there was no danger as it was—if it had gone further it would have got to the intestines, and caused, perhaps, inflammation and mortification.

MR. PAYNE *to* CHARLES PAUL MATHIEU GRILLIERES. *Q.* Had you the prisoner arrested at any time for 300*l.*? *A.* No, not for 300*l.*, it was for 100*l.* and something—that was in April or May, just before I was married—I kept him in custody about a fortnight—I did not afterwards say he did not owe me any money—he did owe it to me—my wife wished me to give him his liberty—she was not my wife then.

Q. On your oath, was it not to get him out of the way, that you might marry the woman? *A.* No, not at that time—I never had the intention to marry at that time.

MR. PHILLIPS. *Q.* I suppose your having him arrested did not make him more friendly with you—was he angry with you? *A.* Directly he was liberated, he tried every thing he could to transport me and my wife too.

MR. PAYNE. *Q.* Was he in liquor when he did this? *A.* I cannot say—the constable can tell you whether he was drunk or not.

WILLIAM HOWELL *re-examined.* I cannot say he was drunk, he was very much excited.

ISABELLA GRILLIERES *examined by* MR. PAYNE. I was present when this happened—the prisoner was very much intoxicated at the time.

MR. PHILLIPS. *Q.* Was he sober enough to take his pen-knife out? *A.* I did not see the pen-knife at all—we had been old acquaintances.

GUILTY of an assault only. Aged 30.—Confined One Year.

Before Mr. Baron Bolland.

692. ANN SMITH was indicted for a robbery on Francis Coham Kelly, on the 29th of July, at St. Leonard, Shoreditch, putting him in fear, and taking from his person, and against his will, 1 purse, value 6*d.*; 6 sovereigns, 1 half-sovereign, 3 half-crowns, 1 shilling, and 1 sixpence; his goods and monies.

FRANCIS COHAM KELLY. I live in Robert-street, Hampstead-road. On the 29th of July last, about half past ten o'clock at night, being in Kingsland-road, I went into the Acton Arms public-house, for the purpose of ascertaining my way to Islington—I had a glass of beer there—three females followed directly into the house after me—they went to a different part of the bar, and called for some gin—I was having my beer immediately inside the door, at the bar-counter—the women went up to the bar, a short distance from me—all of them—it was a very short distance, the bar being small—one of them called for some gin—not having any change in my pocket, I was compelled to take out my purse to pay for the beer I had—I gave the landlord a sovereign, and previous to his giving me the whole of the change, he inquired of the women who was to pay for the gin—one of them immediately said I was to pay for it—I refused doing so—upon which, finding the three women were drawing near to me, and never having been in the neighbourhood in my life before, I asked the landlord how much it was, and on his saying 4*d.*, I told him to take it out in the change, rather than have a disturbance about it—I paid for it, and then feeling myself unwell from the beer I had taken I left the house—I felt sick from the beer—I had dined at East Ham with some friends, and

a pint of wine—I should have stated, that on the landlord's
ny change, I immediately put it into my purse, which I put
ht-hand trowsers pocket—there were six sovereigns, one half-
nd three half-crowns, a shilling, and sixpence in silver, I be-
-I had dined about half-past four or a quarter to five o'clock—
ut half-past ten o'clock—the gas was lighted in the bar—I left
nd the three women followed me—it was a fine night.
ou take on yourself to say whether the prisoner is one of the
a you saw in the public-house? *A.* I believe her to be one,
t swear to her—they were dressed in common cotton gowns,
amon bonnets on—so little notice did I take of them, I cannot
ort of bonnets they had—immediately I got outside the door
seized me by both arms—a second placed her hand to my left
ile I struggled for one moment to release myself, my pocket
ned, and my purse taken from it—it was not taken by either
that seized me, but the third one—she unbuttoned my right-
t, and drew my purse from it—I immediately gave the alarm
obbed—two of them ran away, and the third was apprehended
he spot—she was tried in August, and convicted.
mined by Mr. Phillips. *Q.* As I understand, you went out,
ll? *A.* Yes, and the three women followed me—I left the
yself—that I am sure of—I walked out—the landlord called
to see me out, seeing the women after me—the pot-boy did not
—that I am quite sure of—he was at the door, I believe, when
attacked me, but I did not see him—I understand he was at the

you in such a state that the pot-boy might have been at your
t your seeing him? *A.* Certainly not—he could not have been
or I must have seen him.
Q. How long after you got out was the attack made on you?
ately—between the road and the door.
Jott. I am a die-sinker, and live at No. 6, Maria-street,
oad. I was acting as pot-boy at the Acton Arms at the time
—Mr. Kelly came there, and called for a quartern of gin—three
at the bar at the time the gin was called for—he was served
then I went into the tap-room—he was then taken sick, being
r liquor—I cannot say that I heard him call for the gin, but it
n the bar when I went in—I was out at the time it was called
not see him drink any gin—he had a glass of porter to drink
e three women at the bar—I did not hear them call for any

said before the Magistrate that they called for a quartern of
saw the gin on the bar—Mr. Kelly paid for it—I saw his
n the counter—he pulled out his purse—I then went away into
n—he was taken very sick, and was retching very hard—I did not
his purse into his pocket—he was not so very much in liquor,
a little the worse for it—I had seen the women before—they
onally customers at the house.
t at the prisoner; can you take on yourself to say that she is one
A. She was dressed very differently then to what she is now,
e she was one of the three—when the prosecutor was taken
after told me to see him out at the door—I did not do so—the
out—I remained against the door—I could see wh

was doing—the door is three or four yards from the bar—I went to the door with him—I observed the prosecutor leaning over some palings, and retching very much—he was about five yards from me—while he was retching, the three women were round him, the same as I had seen in the public-house—the prisoner and another woman then went off.

Q. Did you see any thing done before they went off? *A.* The prisoner had the prosecutor's purse in her hand—she got it from his right-hand trowsers pocket—I saw her take it, and then I saw her and one of the other women go off—I had seen the prisoner at our house several times before—I am positive she was in the house that night, and I am positive that she had the purse in her hand—the Acton Arms is a public-house.

Cross-examined. *Q.* What do you mean by saying that she was dressed very differently when asked if you knew the prisoner? *A.* She was dressed differently—she had a bonnet on then—it is about four months ago—I am positive she is one of the persons—she had a bonnet on, and a kind of a light shawl—I think the shawl makes a good deal of difference in identifying her—she is in a different dress now—that made me doubt about her at first—I was not exactly sure of her then, but I have looked at her since—I did not say she was dressed differently without looking at her—I had seen her, and was not positive of her—I am positive of her now—I did not say I was not positive of her—she had on a kind of straw bonnet—I have not seen her since.

Q. Do you mean to swear you did not see her on the 26th of December, and speak to her? *A.* I saw her in Old-street-road on boxing-day, and spoke to her—she was very tipsy then—I did not give her in charge—I would not attempt such a thing.

Q. Did not you lead the prosecutor to the door of the public-house? *A.* No, I did not—I swear that—I was examined before the Magistrate—(*looking at his deposition*)—this is my handwriting—it was read over to me before I signed it—I was desired to attend to it—I said, "By the desire of my master I led him to the door," and I said that the three prisoners led him out—(*the deposition being read, was as follows, "By desire of my master I led him to the door, and the three women followed him out.*")

Q. Now, did not you say that you led the prosecutor to the door? *A.* I did not swear it—I swore that the women led him out—when I saw the prisoner in Old-street, it was in the open street, between two and three o'clock in the day—it was above a mile from my master's house—the women were all perfectly sober on the night of the robbery—I have always been of that opinion—I have seen them tipsy sometimes, but they were sober that night—I gave evidence here on the last trial.

Q. On your oath, did not you then say that the prisoner then on trial, one of the three women, was in liquor? *A.* No, I did not—the prosecutor was rather in liquor—I did not swear the woman then being tried was rather in liquor—there were only the three women there—there were no girls there, only the three women—that I swear—I never said there were three or four girls round the bar—I called these women girls—I did not say there were any girls besides these—I never stated there were more than three—they said they would see Mr. Kelly out—they all three lived together, at least, Ann Sherwood, the one who is transported, said so.

COURT. *Q.* How long have you known this woman? *A.* I did not know her before I lived at the house, which was about four months before this occurred.

JAMES FREEMAN. I am a carpenter, and live in Acton-street North. I

was coming out of the Acton Arms on the evening in question, and saw three females hustling the prosecutor outside the door—I had just come out after them, when I turned my head and saw them; they might be about three yards from the door—I am positive that the prisoner is one of the women—I am quite certain—I had known her before for some years, up and down the road—it might be for seven or eight years—I saw no further than seeing her hustling the gentleman—she had got her hands round him some where or other—I saw one of her hands very near his pocket, round his waist—I heard the prosecutor state that he was robbed, and I went and fetched the police.

Cross-examined. *Q.* Had you taken any notice of the women inside the house? *A.* I had not—I stated before the Magistrate that I heard the prosecutor say he was robbed—I knew all the three women—I did not particularly remark how they were dressed—I stopped but a short time—I did not particularly remark how the prisoner was dressed—she had a gown and bonnet on—she was dressed as females are—I knew her so many years, but as to the colour of her *garb*, I cannot speak to—to the best of my belief she had a shawl on—I cannot tell the colour of it—I think it was a straw bonnet she had on, but I will not swear to it—I did not see her again till she was taken into custody, about three weeks or a month ago.

COURT. *Q.* You say you had known her seven or eight years, by seeing her on the road, what was her occupation? *A.* She walks the streets as a common girl of the town.

JAMES GLIBBERY. I am an officer of Worship-street. I apprehended the prisoner—I told her the charge—she wished to go home first, but I said she should not.

Cross-examined. *Q.* Had she a washing-tub in her hand at the time? *A.* She had—she asked me to let her go and deliver it where she had brought it from—I took her in Charles-street, Goswell-road, about ten o'clock in the morning.

GUILTY. Aged 24.—Death recorded.

Before Mr. Justice Williams.

692. WILLIAM CORNISH was indicted for feloniously uttering a certain forged power of attorney, to transfer the sum of 300*l.*, well knowing it to be forged, with intent to defraud the Governor and Company of the Bank of England.—2nd COUNT, stating his intent to be to defraud Robert Alner.—Other COUNTS, varying the manner of stating the charge.

MESSRS. ADOLPHUS *and* BULLOCK *conducted the Prosecution.*

JAMES SHORTO. I am the attesting witness to this marriage settlement—(*looking at one*)—I saw it executed by the prisoner and Mary Elizabeth Wallridge, and Robert Alner.

Cross-examined by MR. CLARKSON. *Q.* What are you? *A.* I am now a clerk to Mr. Richman, a corn-factor, at Poole—at the time in question I was living at Piddletown—I do not know who prepared this deed, nor by whose direction it was done.

ROBERT ALNER. I live on my property, at Piddletown, in Dorsetshire. I had a niece named Mary Wallridge lodging with me—I have known the prisoner many years; he was once in my service as groom, and lived with my brother many years before that—a marriage took place between him

and my niece—there was a settlement on that marriage—the trustees on that settlement are myself and William Bridge.

Q. Were you possessed of any stock in the Three per Cent Reduced? *A.* Yes, about 1400*l.*—I received 21*l.* 2*s.* 8*d.* dividend for a half-year, through Williams and Co., of Dorsetshire—I found, on examining the banker's book, that the last dividend, at Michaelmas, was a smaller sum than usual, and on inquiry, found there was 300*l.* stock short—I never sold any stock out, nor did I sign any power of attorney to have any sold—(*looking at a power of attorney*)—the name of "Alner" to this is not my signature, neither the under signature nor the upper one, nor do I know the witnesses who have signed it—I never executed this power, or any other.

Q. Had the prisoner made any application to you to transfer stock? *A.* Yes—we transferred 100*l.* stock—I and Mr. Bridge—that was six, or seven, or eight years ago, long before last April.

MR. CLARKSON. *Q.* Was the application made to you by the prisoner himself? *A.* There was an application—whether he made it to me himself, or to Mr. Bridge, I do not know.

MR. BULLOCK. *Q.* Whatever it was, it was long before April last? *A.* A long time—I have no recollection of any application being made by the prisoner since—I never gave any consent to transfer any subsequent sum.

Cross-examined by MR. CLARKSON, *Q.* What was the age of your niece at the time of her marriage? *A.* I should think twenty-four or twenty-five—I cannot tell you—I should not think she was thirty—I brought her up from her infancy—I could tell her age at home—I think I can undertake to say she was not thirty—they were married in May, 1826—the prisoner must have been more than eighteen at that time—I should suppose he had lived servant to me and my brother as long as that nearly—I believe he must have been more than eighteen—I cannot tell how long he lived with me—he could only write very indifferently—he certainly was no scholar, but otherwise he was as other people—this prosecution is not at my instance—my niece writes a very good hand—she received a very good education—the signature to the power of attorney is not the least like my handwriting—I am quite sure of that—I was living at Piddletown at the time, and have been so all my life—I know very little of Shaftesbury—I have been through the town—I was known to a few individuals there—I believe I was not known at the banker's—I was known to a clergyman named Wood, who holds the living, but he lives in Dorsetshire—Piddletown is twenty-two or twenty-three miles from Shaftesbury—I never attended Shaftesbury market, and have no connexion with that part of the kingdom.

Q. Did you on this occasion turn your niece and the prisoner out of doors, when something unfortunately happened between the prisoner and her? *A.* No—I did not—the prisoner had left, and I provided a residence for my niece.

Q. Where was your niece's money at the time the marriage was contemplated? *A.* 900*l.* stock was in the 3 per Cents—it was there twelve months before the marriage—she became entitled to the money at the death of her father, who died in America—she consented to its being bought in in our names—I was a consenting party to the marriage—it was recommended by our friends.

Q. Did not you tell the prisoner there should be no marriage, unless he

of January I paid in 20*l.*,
March following I see I
May 6th, 1*l.* 5*s.* for
and another
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require 200*l.*, and I sent

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e questions you asked him on your
his marriage, there was any settle-
you he did not know whether there was
first interview, but when the bankers
not in his wife's name, he called on me,
thing done on your marriage?"—he said
er it was before or after he could not tell—
know whether there was any settlement or
alance, 8*l.* odd, to him, in November—on the
nce due to him was 42*l.* 12*s.* 10*d.*—I have been

u he wanted the stock to be sold out, that it was
his wife, and you found there was no such stock, as
d with business, did it not excite your suspicion?
—nor when he told me, if it was not in that name, it
e of Alner, or Alner and Bridge—I did not inquire
it was correct, because the prisoner told me he had seen
did not write to Mr. Alner—I had seen the prisoner
and a half before, when he was a witness in a case at Dorset-
hich I was concerned, and I recollected him from that.
but he having given you information which was incorrect, and
mes of trustees whose signature he was to get, you
on? *A.* I did—I made myself debtor to him, and
er he wanted it—he applied to me to get another
00*l.*—I will swear that—I do not know whether
am not in the habit of having persons present

Part of it, and part was written by my clerk—it is an authority to Brodie and Co., dated May 10th, and signed "Robert Alner"—it merely says, "Pay proceeds of £300 Stock, 3 per Cent Annuities, (for which I have executed a power,) to William Cornish and Mary Elizabeth, his wife; or either of them."—(Signed) — "Robert Alner"—he brought me that authority with the power of attorney—there was a blank left for the date—it had been sent up in blank, but it was returned to me filled up and signed—underneath this is in my handwriting, a direction to Brodie to pay the above to George Chitty—this was signed by the prisoner in the presence of my clerk, who has witnessed it—it is dated "13th of May"—in pursuance of that order I received the money—I had credit for it in my account, on the 18th of May—the prisoner called on me that day, and asked if the money was sold out—I told him it was—he then said he would call next morning, and said he should require £200—he called next morning, and I sent my cheque to the Bank, payable to him—my clerk brought back twenty £10 notes of the Shaftsbury Bank—I gave them to the prisoner, and he gave me this receipt for it, which I have in my ledger—(*producing it*)—I made a statement of the account between him, and his wife, and myself, to show what he would be entitled to after paying my bill—here is the account—(*reading*)—"Bill £6 13*s.* 2*d.*—cash at different times, 2*l.* 2*s.* 6*d.*," on the credit side is "Amount of proceeds of stock, 300*l.*, part of 900*l.* 3 per Cents Reduced"—after deducting brokerage and power of attorney, 269*l.* 2*s.* 6*d.*—deduct power of attorney, 1*l.* 5*s.*, net 267*l.* 8*s.* 6*d.*, and the balance due to them, 259*l.* 1*s.* 10*d.*—underneath the balance is brought down, "Cash on account, 19th May, 200*l.*," and he has signed his name—I then drew out a receipt on a 4*s.* stamp, which I desired him to get signed by himself and his wife, for the whole proceeds, and delivered it to him, but he never brought it back—I delivered to him this paper—(*looking at one*)—as a copy of the account I have just read—it is in my own handwriting—I delivered it to him at the time the transaction took place—it corresponds with my ledger exactly.

Q. Did the prisoner afterwards make an application to you to get a power to transfer a further sum of money? *A.* Yes—about June or the latter end of May—he applied to me to get a power to transfer 600*l.*, the remainder of the 900*l.*—the power remained in my office some time—I handed it to him, but it never came to me as an executed deed.

Cross-examined. *Q.* Turn to your diary for the instruction you had for the second power for 600*l.*? *A.* I have no entry there of it—I have not been taken into custody as *participes criminis* to this—nor charged—I was before the Magistrate—I was not charged as an accessory to this forgery, that I am aware of—I went there at the request of Mr. Freshfield—he wrote to request me to go there as a witness with my clerk, and I went with him, and returned the same day.

Q. What was the state of your banker's account at the time you sold out the 300*l.*? *A.* I do not think I owed them any thing at the time—sometimes I am overdrawn 100*l.*, or less or more—it appears by my book that I owed them nothing at that time.

Q. Does it not appear that till you got the 260*l.* your banking account was so much overdrawn? *A.* (*Looking at the book*) Yes, certainly—no, it does not; I see, by looking, here are the sums I drew out on the 18th—the date of the sale is the 18th of May—my account was balanced at the end of the year, and here is, Dec. 31st, 1836, my account balanced; and then

I owed my bankers 19*l.* 18*s.* 7*d.*—on the 2nd of January I paid in 20*l.*, on the 1st of March 30*l.*, and up to the 30th of March following I see I owed my bankers nothing—the first debit to me is, May 6th, 1*l.* 5*s.* for the power of attorney—I drew a cheque for 8*l.* on the 20th, and another for 59*l.* 17*s.* 6*d.* on the 18th of May, for the prisoner, when he called on me, and I left the remainder there—on the 19th I drew a cheque for 200*l.*—when this money was put to my credit I did not owe my bankers any thing—I did not pay the prisoner the 59*l.* odd—he came on the 18th, and said he would call in the morning—I wrote a letter to him, inclosing a £10 note, and he called before the letter went to the Post Office—I did not pay him the money—on the 18th of May the balance in my bankers' hands was 38*l.* 11*s.* 3*d.*—that was the balance I owed my bankers; but allow me to explain—it appears that the bankers had given me credit for the 300*l.*, and charged me with the 59*l.* odd, and 200*l.*, and on the 19th of May it appears I owed them 38*l.* 11*s.* 3*d.*—I did not pay the 59*l.* odd to the prisoner, but I sent up a cheque for the amount.

Q. Why not pay it to the prisoner? *A.* He did not come—he was to have come in the evening, when I was to arrange it, but he did not come till next morning—he then said he should only require 200*l.*, and I sent to the bankers' and got it.

Q. Well now, then, was not your balance overdrawn at the time you received the prisoner's money? *A.* No—at the time the money was put to my account I did not owe them any thing—I did not know this was carried to my account at all till afterwards—here is the account the prisoner gave me—(*producing it*)—I did not find him a very intelligent man—I found him rather deficient—I did not consider him illiterate.

Q. On your oath, was not one of the questions you asked him on your first interview with him, whether, on his marriage, there was any settlement executed, and did not he tell you he did not know whether there was or not? *A.* He did not at the first interview, but when the bankers informed me that the money was not in his wife's name, he called on me, and I asked him, "Was any thing done on your marriage?"—he said something was done, but whether it was before or after he could not tell—he did not tell me he did not know whether there was any settlement or not—I paid over the last balance, 8*l.* odd, to him, in November—on the 21st of September the balance due to him was 42*l.* 12*s.* 10*d.*—I have been an attorney since 1820.

Q. When he told you he wanted the stock to be sold out, that it was in the maiden name of his wife, and you found there was no such stock, as an attorney acquainted with business, did it not excite your suspicion? *A.* Certainly not—nor when he told me, if it was not in that name, it was in the name of Alner, or Alner and Bridge—I did not inquire of Mr. Alner if it was correct, because the prisoner told me he had seen Mr. Alner—I did not write to Mr. Alner—I had seen the prisoner about a year and a half before, when he was a witness in a case at Dorsetshire, in which I was concerned, and I recollected him from that.

Q. Well, but he having given you information which was incorrect, and referring you to the names of trustees whose signature he was to get, you thought it your duty to go on? *A.* I did—I made myself debtor to him, and he had the money whenever he wanted it—he applied to me to get another power of attorney to sell 600*l.*—I will swear that—I do not know whether my body was present—I am not in the habit of having persons present

when I am on business—the prisoner told me he was out of business, and wanted this to go into business—he at first produced the account to me, and said that would explain it; and I considered, by the account, that it was in his wife's name—I considered at first that he was aware the stock was in his wife's name.

Q. But afterwards, when he said it might be in Mr. Alner's or two other names, did not you think he did not know where it was? *A.* He said that was what Mr. Alner had told him—I never asked the prisoner to lend me 200*l.*—I did not apply to him for the loan of 200*l.*—I will tell you what I did—I did not apply to him—he proposed it—he came to me about the second power, and said, "I have seen Mr. Alner; he has consented for us to have the remainder of the 900*l.*; I shall want about 200*l.*; will you keep the 200*l.* in your hands till we want it?" and I said I had no objection—I know that money in the funds pays interest—he said he should not require the money, would I keep it in my hands till he wanted it—I said I had no objection—I paid him interest for the balance in my hands when the balance was struck.

Q. Do you mean to swear that at this time you do not owe the prisoner money? *A.* I do swear it most solemnly—here is my account—he is my debtor, for I am charged with the expenses of the second power of attorney.

Q. Here is a piece of paper pasted into your ledger, and which I see "On 26th November, Mr. George Chitty paid me 8*l.* 7*s.*, which settles all account between us?" *A.* Yes—that happened on a Sunday—I was passing an inn where he was—he said, "I shall be obliged to you to pay me the balance"—I said, "Certainly"—I had not the money, but I went and got it—I returned to the inn where he was, paid it to him, and took that memorandum; and next morning I got my clerk to paste it into the book—I do not keep any cash-book—this is my ledger—I always enter it into the ledger at once.

Q. Did you pay a single farthing to your bankers after you got the 269*l.*, the proceeds of this 300*l.*? *A.* (*Looking at his book*)—No—I have not any account—I did not know this was carried to my account till the other day, when Mr. Freshfield wrote to me for my pass-book—I sent to the bankers, and said, "Will you make it up to this time?" and they made it up to the 11th of November—since that I have had no transaction with the bankers—I am in my banker's debt at present—I owe them 50*l.* odd—I was not in their debt at the time this sale was made—the account begins on the 2nd of January, when I paid them 20*l.*—at that time I owed them 20*l.*, all but 1*s.* 5*d.*—I paid them more than 30*l.* after that—I paid them orders, but they are not entered in the book—if I go and ask for a draft, they do not enter it in the book.

Q. When you were first examined before the Magistrate, was it on oath or not? *A.* Without oath—I have been in the habit of practising in Criminal Courts—I considered I was being examined as a witness, though not on oath; and after I had made my statement, and gone through the account, the prisoner said every word I had stated was true—Mr. Freshfield was present, and other witnesses.

Q. Do you not know you yourself were under charge and under examination, and told you might say any thing if you liked, but were not obliged to state any thing? *A.* I was not told so—I was not cautioned by the Magistrate that I need not say any thing unless I liked—he said, "Mr.

Chitty, will you explain it?" and I said, "With pleasure"—I believe the Magistrate's words were, that I need not say any thing unless I liked, but I might make an explanation if I pleased—I have heard that put to prisoners before—I believe it was two or three days after I made my statement that I was examined on oath.

Q. When parties come to you to represent they want stock sold, and you find it in the hands of trustees, are you in the habit of doing it without consulting the trustees? *A.* I have nothing to do with it—I give it to the bankers, and give them instructions—I have not had an instance of being applied to for a power of attorney for years—if a party say they are sent by the trustees, I do not think it my duty to apply to them—I certainly see now that if I had written to the trustees, it would have saved all this—I knew Mr. Alner to be a gentleman of respectability and station in Dorsetshire—I certainly considered, on looking at the power and the statement of the account produced by the prisoner, that it was the handwriting of Mr. Alner, and the bankers considered the same—the bankers were not glad to get it to settle their account, for it was not to be placed to my account—the signature to the power is not placed far from the right place—it is not so near to the seal as I should put it, but that is a matter of opinion—I think it is sufficiently near—I should say it is executed in the right place—I see no objection to it—I cannot tell who drew this line from the word "Alner" down to the seal—I will swear that—I will swear it was not done by me, nor in my presence, that I know of—I have no knowledge of it at all—I will certainly swear it was not done in my presence—I have not the least knowledge of it—I will swear, to the best of my knowledge, it was not—I will swear positively it was not.

Q. Are not the two first witnesses names opposite the seal, instead of the person purporting to execute the power? *A.* That will appear by the thing itself—they appear opposite the seal certainly—that is a very unusual thing—it is bad writing—I thought it was oddly done, and mentioned it to the bankers—I noticed the distance of "Robert Alner" from the seal, but the bankers said, as long as it was signed by Robert Alner, they thought it would do—I looked at the account, and said, "It is Robert Alner's writing"—I said it was very odd for the persons demanding to act to witness up there, for I thought it oddly done—I did not think it my duty to inquire of Mr. Alner, as I considered it was Mr. Alner's handwriting—I have not received any money from the prisoner besides the 6*l.* odd—I paid him over all the proceeds of the money except that.

Mr. Adolphus. *Q.* I find, in the first three months of 1837, you paid to your bankers only 50*l.*, and up to the same period you drew out 48*l.* odd, leaving a balance in your favour of 1*l.* odd? *A.* Yes; and when I was debited with the power of attorney, that made my account even—at the commencement of this business my account was even with them—(*looking at the paper pasted in the book*)—I wrote this above the prisoner's name, at the inn, on Sunday the 26th of November, and he signed it—I had, before that, cast up and balanced my account as it appears there—it is merely an acknowledgment of the balance being paid to him—I have in the course of my time seen many deeds executed imperfectly, in the country particularly—I have seen names signed a greater distance from the seal than this—I went on with the business, believing it to be a genuine transaction—I had not heard any thing about the prisoner, or who he had married—he told me who he had married when he first came—on seeing the

account, he told me he had married the lady whose account that was, and that she was a niece of Mr. Alner—I took this power to the bankers—they made some observations about it, and forwarded it to London, and the money came from London.

JAMES RUDGE GATTERELL. I am managing clerk in the house of Messrs. Brodie and Co., at Shaftesbury. I recollect Mr. Chitty applying to me, in the month of April, for a power of attorney; in consequence of which I wrote to a house in London to obtain one for him, according to his instructions—we received the power from our correspondent in London, and I sent or took it to Mr. Chitty—I received it again from him, about seven or eight days after—it was then executed, and in the state it is now—I sent it to London the same evening as I received it from him—Mr. Chitty's account was afterwards credited with the proceeds of the sale.

Cross-examined. *Q.* I see that Mr. Chitty's account consists of two items of 20*l.* and 30*l.*, besides the money which was the produce of this sale in 1837? *A.* Yes, it finishes by ending in our debt 25*l.*—where the balance is struck 38*l.* in our favour, a line is drawn, and 1838 is put at the top—that has taken place since I left the bank—there is January, and then there comes October and November—that is, cheques that he has drawn, and were not charged to his account—although he had not paid any more money, he had drawn money out.

Q. Did Mr. Chitty tell you that he was going to borrow 200*l.* of the prisoner? *A.* He told me once that he was going to lend him some money, or he was going to obtain a security for him—the bankers were not pressing for their money from him—there are two cheques in favour of the prisoner—one is for 59*l.* 17*s.* 6*d.*—they are payable to Cornish or bearer—I cannot charge my memory whether he said he was going to borrow 200*l.* of the prisoner—whether it was that, or to get money or security—it was one or the other—the prisoner never appeared for either of the cheques—I never saw him till after.

COURT. *Q.* How long had you known Mr. Chitty? *A.* From June, 1834, when I went to Shaftesbury—he lived at Shaftesbury, and I knew him perfectly well all the time I was there.

MARK LIGHT. I am a baker, and live at Ledledge, in Dorsetshire. (*Looking at the power of attorney*)—this signature, "Mark Light," is my hand-writing—I did not know Mr. Alner at the time I signed it—I never saw him in my life, to my knowledge, unless I have seen him here—I never saw him in the country, to my knowledge—I had to go to the prisoner's house with bread three times a week—I went there in April with bread—Mr. and Mrs. Cornish were there—Mrs. Cornish said she had very good news come—she had received a letter from her uncle Alner, to say that she might sell out 300*l.* of her stock—about a fortnight after I went again—the prisoner was at home then, and said, "We are going to sell out that money; the paper is drawn up, and is gone to Mr. Alner to be signed; and when it comes back we shall want two or three respectable people to sign it, just to say that Mrs. Cornish is agreeable"—she said she was, and asked if I would be one of them—I said I did not know any thing about their money, they could get some one handier—the prisoner said that Mr. George Foote was going to sign for one, and he dare say I would for another—I went away then, and about the beginning of May he came to my house with this paper, called me into the parlour, and asked me to put my name, just to say that Mrs. Cornish was agreeable to sell out—my wife came in, and she said, "What is that paper, Mr. Cornish?"—he said

the same to her, that it was only to say Mrs. Cornish was agreeable to sell out this money—my wife said to me, "You had better not sign it, perhaps it will draw you into some error"—he said, "God bless the woman! do you think I would do that? I would rather have my head cut from my shoulders"—my wife said she would fetch my father—she went after him—he came in, and asked the prisoner what the paper was—he told him it was only just to say that Mrs. Cornish was agreeable to sell out the money—he opened the paper, put it on the bureau, and put his finger where I was to put my name, and I did so—I did not read any part of the paper—I took it on his word—I think I saw Mr. Alner's name, but I did not read the paper at all, nor did my wife or father—the prisoner owed me a little money at that time, but not much—there was nothing said about money—I know William Woolf, of Hasselbury—I do not know when I saw him last—it is a long time ago—I have not seen him since this matter has been inquired into—I did not know he had signed the paper—I know Crocker—he is here to-day.

Cross-examined. *Q.* You thought all along that what you were doing was to witness the consent of Mrs. Cornish to sell out the money? *A.* All I understood was, it was that Mrs. Cornish was agreeable—I knew nothing at all about Mr. Alner, and asked nothing about him—I swear that—I did not ask the prisoner whether it was Mr. Alner's writing—my father did—I do not think I ever said so—I do not recollect ever asking the prisoner the question—I do not know whether I did or not.

Q. Who is this Woolf? *A.* He is one at Hasselbury, he is nothing, I mean no trade—he *bides* about—sometimes he is at the prisoner's house, and one place and another—he has no house—I was taken into custody myself.

Thomas Light. I am the father of the last witness. I know the prisoner—I remember his being with my son about signing a paper—Mrs. Light came to me, wishing me to come into the parlour, and desired me to ask the prisoner what was the meaning of the paper—I did so—he told me it was a paper he had received from Mr. Alner—I then asked him whether it was Mr. Alner's handwriting—he said, "Yes, do you think I would be guilty of any thing of that kind—(of its not being Mr. Alner's handwriting)—I would sooner have my head off my body"—I then said to my son, "I suppose, as Mr. Alner's name is there, there can be no harm in your signing it, as he says it is nothing but for Mrs. Cornish to have the money," and my son signed it—I do not recollect any thing more.

Court. *Q.* What are you? *A.* I have been a farmer, but am old now, and live with my children.

Charles Crocker. I keep a horse and cart, and live at Ledledge. I know the prisoner—he applied to me about signing a paper, his wife was present—I went to his house, as he owed me a little money—he and I went to the Jolly Brewers—he said Mrs. Cornish had got a paper, to receive some money from the funds, and if I would sign it he would pay me, and lend me a little money—he did not show me any paper then—about a week or ten days afterwards I went to the house again, and Mrs. Cornish read a paper to me, and asked if I would sign it—the prisoner was present—Mrs. Cornish said the paper was concerning drawing some money which she had in the funds, and wanted two or three people to sign it, to say she was agreeable to draw the money out—I said, "No, ma'am, I can't write; if you like to put my name I will put a cross to it, if that will do"—she said "No"

—I cannot read writing—I saw the paper that I was to sign, it was not a very large paper—some of it was printed and some written—(*looking at the instrument*)—I think this is it—I never took it into my hands.

JOHN NIXON. I am a clerk in the office of the 3 per Cents Reduced, at the Bank—(*referring to a book*)—here is an account in the name of Robert Alner—I was a witness to this transfer, on the 16th of May, 1837, of 300*l.*, from Robert Alner to John Isaac Hensley, by power of attorney —Mr. Labouchere was the attorney—I attested the demand to act under that power.

Cross-examined. *Q.* Did you make the transfer? *A.* I saw it executed, by virtue of the power of attorney—we require the confirmation of somebody being the person to whom the power was made—that was done—there is a person whose duty it is to inspect the power before the transfer is made.

MR. ADOLPHUS. *Q.* Is it at all uncommon for instruments more imperfect than this to be acted on? *A.* Sometimes they are.

JOHN LABOUCHERE. I am a partner in the house of Williams, Deacon and Co.—(*looking at the power*)—I acted on this power of attorney—it has my signature.

Cross-examined. *Q.* In the ordinary course of business it would be your duty to demand to act? *A.* Yes, and I have put my signature to the instrument.

MR. CLARKSON *to* MR. CHITTY. *Q.* Who wrote "County of Dorset" on this instrument, did you write it? *A.* No, certainly not that one—I did write "Dorset" on the instrument after it had been executed—I wrote the word "Dorset" in the presence of the bankers.

COURT *to* MR. NIXON. *Q.* Was the transfer of 300*l.* in one sum, or was it the portion of another? *A.* It was a portion of 1400*l.*

MR. ALNER *re-examined.* The prisoner bore a good character for honesty and integrity ever since I knew him—he continued in my brother's service a long time, and then I took him—he conducted himself extremely well till this misfortune happened—I mean up to the time he left me, which is twelve years ago—I have not known much of him since.

NOT GUILTY.

Fourth Jury, before Mr. Recorder.

694. WILLIAM SMITH was indicted for stealing 2 live geese, price 6*s.*; and 6 live fowls, price 10*s.*; the property of Richard Stapleton; to which he pleaded

GUILTY.* Aged 25.—Confined Six Months.

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695. JOHN WILLIAMS was indicted for stealing on the 30th of January, 1 coat, value 3*l.*; the goods of Joshua Wigley Bateman, Esq.

MR. CLARKSON *conducted the Prosecution.*

ELIZABETH LYNE. I am in the service of Mr. and Mrs. Bateman, of No. 4, Westbourne-place, Eaton-square, Pimlico. On the evening of Tuesday, the 30th of January, my master came home to dinner, about six o'clock—I saw his great coat hanging up in the hall after he came home—it is a blue rough coat, called a pilot jacket—no one came in, after he came home, but Mr. Bateman's brother—they dined a few minutes after six o'clock—about

seven o'clock there was a knock at the door—I opened it, and found the prisoner there—he asked me for the first and second volume of Ivanhoe—I told him it was not a library, and we did not let out books—he said no, he knew that, but that they had had them from their library, and he wanted them—I asked him to come in—he did so—I shut the door, and went into the parlour—while I was delivering the message, I heard the coat-stand rattle in the hall, as if something was being pulled off it—I called out, and ran into the hall immediately; and as I went into the hall, I saw the prisoner making his escape—he shut the door after him, without waiting for any thing—I saw him again about three or four minutes afterwards in custody, and knew him immediately—I said, "That is the man"—I have not seen the coat since—I had let my master in when he came home, and observed him place his coat on the middle peg of the stand.

Prisoner. *Q*. What do you swear to me by? *A*. I am quite certain you are the person—you had a dark or blue coat on, but what waistcoat I cannot say—it was not a frock coat—I did not see you with the coat, but there was nobody else there—I was not quick enough to see if you had it, but I am certain you are the man.

Prisoner. I was never near the house at all. *Witness*. I am certain he is the man—I had a candle in my hand, and observed him—I can safely swear he is the man.

Edward Plummer. I am a fixture broker. I was passing along Westbourne-place, on the evening of the 30th of January, and within a few yards of No. 4, I observed the prisoner come out of Mr. Bateman's gate, on the foot-path, and run away—at the same time I heard an alarm of "Stop thief"—the houses are fronted by a fore-court—I saw him run out of the gate—it was past seven o'clock—I could not observe whether he had any thing with him—I pursued him directly, and never lost sight of him till I took him—he turned a corner, but there was a gas-light at the corner—he might have put the coat over the railings to another person before I saw him—I am certain he is the person who came out of the gate—Mr. Bateman came up, and held me as well as the prisoner till the policeman came up—the prisoner ran first, he then made a dead stop, and, when he was taken, immediately pretended to be very tipsy—he said he had just come out of the public-house, and asked what was the matter.

Joshua Wigley Bateman, Esq. I was living in Westbourne-place. When I came home to dinner, I placed my pilot-jacket on the coat-stand, in the entrance-hall, and afterwards went into the dining-room—the servant came into the room about seven o'clock, to inquire for Ivanhoe—we had no such books—before she had finished delivering her message, she called out, "Oh, there is a thief"—I got up, and directly I got to the hall, the door banged too with great violence—I opened it, and pursued, and the prisoner was taken—the coat was missing—I had seen it safe about half-past six o'clock—when the policeman brought the prisoner to the house, the servant immediately said, "That is the man."

William Crumpton Seymour. I am a policeman. I assisted Mr. Bateman in securing the prisoner—the servant recognised him directly I took him to the house.

Prisoner's Defence. All I have to say is, I was coming by at the time there was a cry of "Stop thief"—I ran as well as other people—I could not see anybody a-head of me, and made a full-stop—the witness imme-

diately collared me, and the prosecutor collared both of us till the policeman came up.

GUILTY. Aged 24.—Confined One Year.

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696. GEORGE BAILEY was indicted for stealing, on the 7th of February, 1 leathern knee-boot, value 30*s.*, the goods of George Timothy Adams and another, his masters.

The prosecutor's name being Timothy George Adams, the prisoner was

ACQUITTED.

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697. DANIEL MANNING was indicted for stealing, on the 9th of February, 1 coat, value 1*l.*; and 1 pair of gloves, value 1*s.*; the goods of William Winder.

WILLIAM WINDER. I keep the Box and Cock public-house, in Gray's Inn-lane. On the 9th of February I lost a coat and pair of gloves—I missed them on the 10th—I had left them in the bar—I went with the policeman and the witness Berry, to take the prisoner into custody, at No. 5, Fox-place, Gray's Inn-lane—I saw the policeman search and find my gloves—the prisoner was afterwards taken to Reeves, the pawnbroker's, and my coat was found there,

EDWARD BERRY. I lodged with the prisoner at No. 5, Fox-place, Gray's Inn-lane—he showed me two papers on Sunday evening, the 11th—one was a licence, and the other a letter, the name of Mr. Winder was on them—the prisoner asked me to put them into the fire, but I put them on the bed with a pair of silk gloves—on the following morning, after breakfast, he came up stairs, and asked me where I could raise him 1*s.* or 2*s.* on the ticket of the coat—I took the ticket and papers to the prosecutor, knowing they belonged to him—I gave him the ticket of the coat that I had received from the prisoner—I had seen him take the gloves from his own pocket with the papers—it was on my information that he was taken.

Prisoner. He was present when the coat was taken out of the street, where two boys had thrown it down. *Witness.* I never saw any thing of the kind—I was not with him when he got possession of it—I have known him ever since the 18th of November, and worked with him part of the time, in the boot and shoe line as fellow-labourer, for different shops—at the time this coat was found, he asked me to pawn it at the pawnbroker's he was in the habit of using—I never saw it till I saw it at the shop.

Prisoner. He was in custody the day previous, for pawning two pairs of his master's boots. *Witness.* I was not—I was in custody the day the coat was stolen—I was locked up in consequence of master and I having a few words—because he would not pay me my wages, in consequence of an altercation—I was not charged with unlawfully pledging two pairs of boots—I never took two pairs of boots, in an unfinished state, to pawn—I took one pair, and left them there, but not on my master's account—my master had them when he came for them—they were my employer's, but not the employer's he alluded to.

JURY. *Q.* Had you and the prisoner any quarrel before this? *A.* None whatever.

Prisoner. On the Monday morning, when I was going to my work, and

came to look for some tools, they were missing—I said to him, "Have you been taking my tools again?"—(he had before pawned them for 9*d.*)—I said, "I cannot go to work"—he said, "Well, I will go and get them"—he went down stairs, and at that time took the duplicate and the papers, and went to the pawnbroker's, to try to get more money on the coat, but could not—he then went to the prosecutor's, to extort money from him, as he said it would be a pity to destroy them—the prosecutor detained him, and found the duplicate of the coat on him, and he now throws it all on my back. *Witness.* The pawnbroker and the prosecutor are here to answer about that.

WILLIAM ADAMS (*police-constable G* 184.) I apprehended the prisoner, and found a pair of gloves in his left-hand breast coat pocket—he did not give any account of them—he did not tell me he got them in the street—he said he found the coat in the street—not the gloves.

THOMAS REEVE. I am a pawnbroker, in Gray's Inn-lane. On the 9th of February I took in this coat of the prisoner—I advanced 8*s.* on it.

JURY. *Q.* Did the witness Berry come and try to obtain more money on it? *A.* No—he once pawned a pair of shoes with me—I gave them up because the master was losing his customers through it.

EDWARD BERRY *re-examined.* The prisoner did not tell me to inform the prosecutor that he had the coat—he told me to get more on it, instead of which, I took the things to the prosecutor.

WILLIAM WINDER *re-examined.* I have seen Berry at my house at different times—I did not see him on the night of the robbery—I do not know the prisoner—he lives about two minutes' walk from my house.

(*Property produced and sworn to.*)

GUILTY.* Aged 51.—Transported for Seven Years.

NEW COURT.—*Wednesday, February* 28*th*, 1838.

Sixth Jury, before Mr. Common Sergeant.

698. JOHN SMITH was indicted for stealing, on the 11th of June, 2 bushels of wheat, value 10*s.*; and 1 sack, value 2*s.* 6d.; the goods of William Kendall.

MR. BODKIN *conducted the Prosecution.*

WILLIAM KENDALL. I am a farmer, living at Isleworth. The prisoner was never in my employ, but he had employment that brought him to my premises—in June last I missed about two bushels of wheat, and a quarter of rye, which is about two sacks—it was taken from a little barn on my premises—after the robbery I found a key on the floor of the little barn—the prisoner said nothing to me about a key—that key opened the barn—I do not know Fitzwater—he never worked for me.

ANN WHITE. I am married, and live on Hounslow Heath. In last June I lived near Warton-lane, about a quarter of a mile from the prosecutor's—I had a man of the name of Fitzwater living in my house—I remember the prisoner coming to see him in June last, one night, about nine o'clock, he asked Fitzwater which would be the best time for them to go to Mr. Kendall's to fetch the wheat—he said the time he thought proper, and Smith said about eleven o'clock at night—he came and called for Fitzwater that night, but I did not see him—they went out—they

returned in about twenty-five minutes, and Fitzwater brought with him about two bushels of wheat—nothing else—I did not see the prisoner any more that night—the next morning he came to Fitzwater's apartment, and I went up stairs to go to my own apartment, and saw Smith measuring the wheat in a half-peck measure—Fitzwater was there—he had the wheat, and ground it—the prisoner had three pottles that was over after he measured it—he took it away in a small bag—sometime after that I heard the prisoner say he had lost the key of the barn.

COURT. *Q.* You state now that Fitzwater returned that night—have you always stated that? *A.* Yes—the prisoner did not come back with him—I told the Magistrate I did not see Smith any more that night—I did not say *they* returned.

MARTHA BURCHETT. In June last I lived in Irish-lane. The prisoner came to ask me if I would buy two bushels of wheat—I said I did not want any thing of the kind—he told me I should have it very cheap—I declined to buy it.

Prisoner. We had two keys to fit one barn, and when I came from one to the other barn I lost one key in among the dung.

MARY WHITE *re-examined.* *Q.* When did you first tell this story? *A.* I do not know how long it is ago—I did not hear of Mr. Kendall's barn being robbed—I told the patrol of it last Sessions, when Smith was in prison—my husband's name is James White—he was tried here last Sessions for sheep-stealing—the prisoner was the witness against him, and then I told this story.

NOT GUILTY.

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699. DENNIS HARRIS was indicted for a misdemeanor.

THE HON. MR. SCARLETT *and* MR. ELLIS *conducted the Prosecution.*

JOHN MAIDMENT. I am partner with Mr. Kettle—we keep a tobacco shop, in Norfolk-street, Middlesex Hospital. On the 24th of January the prisoner came for a quarter of an ounce of tobacco, which came to 1*d.*—he gave me a sixpence—I gave him five pence—I looked at the sixpence very curiously, having taken a bad sixpence the day before, and I recollected having seen the prisoner in the shop before—as soon as the prisoner was gone I opened the till, and saw some other sixpences there, and saw that the one I took of the prisoner was bad—I did not put it with the others, but I kept it in my hand, took it into the parlour, and showed it to my friends—I gave it to my partner—I had given the other sixpence that I took on the 23rd to my partner—I cannot distinguish between them—they were both marked alike—my partner gave them to me at the Office—I am sure these are the same that I gave him—(*looking at two sixpences.*)

Prisoner. *Q.* Did you put the sixpence into the till? *A.* I just put it down, and saw the distinction between the good ones and the bad—I did not put the sixpence down into the till—I gave it my partner—I am positive you are the person.

HENRY KETTLE. I keep a tobacco shop in Norfolk-street. The last witness is my partner—on the 26th of January the prisoner came for a quarter of an ounce of tobacco—I gave it him—he threw me down a bad shilling—I went round and said I would try it at the threshold of the door—I found it was bad—I took hold of him, put him into the parlour and sent for an officer—I received a sixpence on the 23rd of January from my partner, and another on the 24th—I kept them in my pocket by ther

selves, and when I got to Marylebone-office I gave the same two sixpences to my partner—I am positive they were the same two—I had no others in my pocket.

Prisoner. *Q.* What did you do with the shilling I offered to you? *A.* I gave it to a friend of mine in the parlour, and he said it was bad—I sent for an officer.

Prisoner. You called in two of the butcher's men. *Witness.* No, it was the master I called in—I did not give the shilling into his hands—it was not bent—I bit it, that was all—I know this is the shilling as I cut it with a pair of scissors.

Prisoner. This is not the shilling—his friend in the parlour put it into his mouth, and bent it almost double. *Witness.* No such thing—it was the same as another shilling when he put it on the counter, it was not bent at all—the prisoner said "My father gave it me"—I asked him what trade he was—he told me, and when I took him into the parlour he sadly wanted to get away, and wanted to leave his things.

Robert Smith (*police-constable E* 160.) I was called into Mr. Kettle's shop on the 26th, and I took the prisoner into custody—I received this shilling from Mr. Kettle—I received two sixpences from Mr. Maidment at the office—these are them (*producing them.*)

Mr. John Field. I am inspector of coin to Her Majesty's mint. I am accustomed to examine coin—this shilling is counterfeited, and the two sixpences are counterfeited, and cast in the same mould.

Martha Sullman. I am the wife of Richard Sullman; he lives in Gray's Inn-road, and is a baker. On the 25th of January the prisoner came for a mince-pie—it came to a penny—he laid a bad shilling on the counter—I discovered it directly—I knocked for Mr. Sullman to come up, and he came up directly.

Prisoner. *Q.* Did you ever see me in your shop before? *A.* I could not swear that I did, but I saw you that day, the 25th of January—I have not seen you since—I am positive it was you—I looked very earnestly at you, because I had taken bad money before—you were taken on the spot, and discharged.

Richard Sullman. I was in my bakehouse on the 25th of January—I was called up by a kick on the floor—I went up, and saw my wife and the prisoner in the shop—the shilling was on the counter—I took it, and said to the prisoner, "Is this yours?"—he said, "Yes"—I said it was bad—he said he would change it—I sent for the policeman—the prisoner would not stop in the house, he said he would go to the station—when he got out he made resistance, and wanted to go the wrong way—I kept the shilling in my hand till the constable came—I then gave it him—I am confident the one I gave the officer was the one I took from the counter.

George Westover (*police-constable S* 80.) I was passing by on the 25th of January, and took the prisoner—he was taken and discharged—this is the shilling I received—(*looking at it*)—it was cut at the office.

Mr. John Field. This is a bad shilling.

Prisoner. I am totally innocent.

GUILTY. Aged 18.—Confined One Year.

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700. MARY SMITH was indicted for a misdemeanor.

The Hon. Mr. Scarlett *and* Mr. Ellis *conducted the Prosecution.*

William Hatcher. I keep an eating-house in the Hampstead-road.

positive you gave it me—there was only one shilling in the till but the one that you gave me was separate from the other—as I t from the counter it fell close in front of the till—the other was at t of the till.

Prisoner. I had not been in the shop before. *Witness.* She had not been in the shop, to my wife, but when I came into the s said she had been in, but that she gave me a good shilling.

ANN HATCHER. I saw the prisoner on the 26th—she came for a but I did not give it her—she offered me a shilling, which I saw —I charged her with it directly, and gave the shilling to my husl sent my servant to fetch my husband and the policeman.

Prisoner. *Q.* Did you not put it by on the corner of the shelf? did not, I took it into my hand and gave it to my husband.

JOHN HAYDON (*police-constable S* 162.) I was on duty on the January—I went to the shop, and took the prisoner—I received a from Mr. Hatcher, which I have here—I asked the prisoner at tion where she lived, she said at Hampstead, but the next day she came from St. Giles's.

MR. JOHN FIELD. These are both counterfeit.

Prisoner's Defence. He had other money in his till, and shook swore it was the one I gave him—he told a different story at the o said he put it in where there was other silver.

GUILTY. Aged 21.—Confined Six Months.

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701. GEORGE BARBER was indicted for a misdemeanor.

ISAAC HILL PETCH. I am a tobacconist, living in St. John-street enwell. About six or seven o'clock on the 18th of January, the came for half an ounce of tobacco, which came to 1¾*d.*—he gave me ling—as soon as he had gone, I saw it was a bad shilling—I bro two pieces, and put it on the shelf—on the 31st of January he cam about seven o'clock in the evening, for half an ounce of tobacco—

shilling I took from you into the till with two fourpenny-pieces and one sixpence—I gave a shilling for a shilling's worth of halfpence—I took that shilling from my till—I did not speak to her about bad money—in general we have plenty of halfpence in the till—there were two fourpenny-pieces and one sixpence—the shilling was in the till perhaps half an hour—during that time there was no other shilling there.

Prisoner. *Q.* Will you swear you did not give the one I gave you to the young woman? *A.* Yes, I will—I gave her another out of the till while you were there, and then I put yours in.

Q. You say on the 18th I came to your shop, what day was that? *A.* I do not recollect the day—you said you were going to Canada—I bent the shilling in two—I did not have you taken, as you were gone, and I thought you might have done it accidentally—I recollected your having given me the first, when I got to the watch-house—I cannot charge my memory whether I spoke of it that night, but I did the following morning.

Mr. Ellis. *Q.* Where did you first get the shilling that you gave the young woman? *A.* From my till—I had two wooden bowls in it.

Court. *Q.* Are you sure he is the man that had been on the 18th? *A.* Certainly, he has been before, repeatedly.

Prisoner. *Q.* Will you swear it was the 18th? *A.* No, I will not—I kept the shilling on a shelf by itself.

Prisoner. *Q.* Could no one go to that place but yourself? *A.* Supposing they did, the shilling was cut—I can swear you are the man that came about the 18th.

Court. *Q.* Then how was it, when he came on the 31st, you did not have him taken? *A.* I took it in ignorance—the thing had escaped my memory—I should have taken this last shilling, in fact I did, and gave him change—he generally came about once a fortnight and passed a shilling.

Henry Rough. I live with my mother, who keeps a tobacco-shop. The prisoner came to our shop about seven o'clock in the evening, on the last day of January, for an ounce of tobacco, which came to 1¾*d.*—he gave me a shilling—I told him it was bad—he said he was very sorry for it—I gave it to my mother—she looked at it, bent it, and gave it to the prisoner back again—he went out of the shop, saying he had no small change, and could not have the tobacco—I watched him thirty or forty yards down St. John-street-road—he joined a woman, had a little conversation with her, and went on to Mr. Petch's—I saw him come out, and I went in and told Mr. Petch that a person had been offering bad money before, and asked him if what he had taken was a bad one—he looked into his till, and in a little bowl was a shilling and some small silver—I saw the woman walking up and down the street—I followed the prisoner down till I saw the officer, and gave him in charge.

Jonathan Brown. I am an officer. I took the prisoner on the 31st—I said he had been passing bad money—I took him to the watch-house, and found on him two shillings, a sixpence, 4¼*d.* in copper, and about half an ounce of tobacco—I got this shilling from Mr. Petch—(*producing it.*)

Robert Roberts Culley. I assisted in taking the prisoner to Hatton-garden. I received from Mr. Petch this shilling, which is cut or broken in half—(*producing it.*)

Mr. Field. These are both counterfeit, and both I believe cast in the same mould.

for a misdemeanor.

THE HON. MR. SCARLETT *and* MR. ELLIS *conducted the Prosecu*

ROBERT STEVENS. I was with my cart in Covent-garden marke 27th of January—the prisoner Manning came and purchased two of carrots, which came to 9*d.*—he offered me a half-crown—I g 1*s.* 3*d.*, and was feeling for a sixpence to make his change rig beadle came and asked if I had looked at my money—I said, " then looked, and found the half-crown was a bad one—the bea covered it was bad, and I discovered it—I had put it into my l pocket—I took it from there when the beadle came up and sh him.

Manning. Q. What did you do with the half-crown I gave yo I put it into my pocket, and gave you 1*s.* 3*d.* in change.

JAMES STACE. I am a constable of Covent-garden market. 27th of January, about eight o'clock in the morning, I saw both soners together under the Piazza, and then in Russell-street, tall gether—that was from forty to sixty yards from Stevens's cart- Manning leave Bishop and go to Stevens's cart—I saw Mannin with Stevens, and give him something, and Stevens returned some Manning—I went and asked Stevens what money he had given l said a half-crown—I got this half-crown (*producing it*) from Steve a bad one—I took Manning, he was discharged on the Monday.

Manning. Q. What money did you take from me? *A.* Thr that Stevens had given you, and the shilling he was about to giv that was a bad one.

Bishop. Q. Why did not you mention before the Magistrate th with him? *A.* I said there was another person, I did not kn name then.

Manning. Q. Was there another officer with you? *A.* I do n —Morgan, the other officer, knew them.

LOUIS TESSANDOLI (*by an interpreter.*) About half-past five o'c

in St. Paul's Churchyard, on the 29th of January—I saw the prisoners together, and followed them to Aldersgate-street—they then separated, and Bishop spoke to this Italian boy—I saw him take two images—I afterwards saw the Italian boy with some money—I did not see any money pass—I spoke to the Italian boy, and examined the half-crown—I took him into a shop—the half-crown was marked—this is it—(*producing one*)—I afterwards went after the prisoners—I took them together near Islington—I did not follow them—I had lost them, and went after them—I found them together, and took them there—I charged them with having done this—they denied it—I found 6*s*. 2½*d*. on Bishop, and 3*s*. on the other—Manning went to the Italian boy after Bishop.

Bishop. *Q*. Did you not say that another man with you followed us from St. Paul's Churchyard? *A*. No, I followed you—I met another man promiscuously, and called on him to assist me.

Mr. Field. These are both counterfeit, and both from the same mould.

Bishop's Defence. On the Tuesday I was taken from Aldersgate-street to Bow-street—he did not say a word about Manning being taken on the Saturday—I was not with Manning on the Saturday morning.

Court *to* Thomas Blossett. *Q*. Had you seen the prisoners before? *A* Yes, in the market together—I did not see them on the Saturday morning.

MANNING*—GUILTY. Aged 21. } Confined One Year.
BISHOP*—GUILTY. Aged 22. }

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703. THOMAS THOMPSON was indicted for a misdemeanor.

The Hon. Mr. Scarlett *and* Mr. Ellis *conducted the Prosecution*.

Frances Sarah Lomax. My husband is a baker, his name is George Lomax, he lives in Hare-street, Woolwich. About half-past five o'clock, on the 8th of February, the prisoner came into the shop for a penny bun—I served him—he gave me a shilling—I saw it was bad directly, and told him so—I stamped with my foot, and Mr. Lomax came up directly—I threw the shilling on the counter—Mr. Lomax took it up.

George Lomax. I was in my bake-house—my wife stamped—I went up and found the prisoner and my wife—I got a shilling, which I kept in my possession—I clapped my thumb on it and bent it almost double—the prisoner said, "You can bend it any way"—I said, "Have you got any more?"—he said, "Yes, 1*s*. 6*d*."—I said, "Is it good?"—he said, "Yes"—I said, "Let me look at it," which he did—I sent for Nicholls, a constable—I gave him the shilling, and he took the prisoner—he was discharged on the 10th.

Prisoner. *Q*. What did you do with the shilling? *A*. I clapped my thumb on it and bent it—I did not put it into my pocket—I kept it in my hand, and closed the door, or you would have made your escape—I had the shilling in my hand all the time, and I clapped my hand against the door-post to keep him in.

Samuel Nicholls. I am a constable of Woolwich. I took the prisoner—I found on him 1*s*. 6*d*. in silver, and two halfpence in copper—this shilling (*producing one*) I received from Lomax—the prisoner gave the name of Thomas Thompson—he was discharged on the 10th.

Prisoner. *Q*. What did you do with the shilling? *A*. I wrapped it in a piece of paper, and marked it when I got to the office—I had it in my

ɔcket all night, and then I put a mark on it at the office, by the M: ate's direction; but I can swear to it besides that mark.

HENRY BRODRIBB. I am a grocer, and live at No. 23, Bread-st ;heapside. About half-past four o'clock, on the 13th of February, the ɔoner came to my shop, and asked for two ounces of coffee—it (to threepence—I was serving him—he put down a bad shilling—I sa was bad, and said to my young man, "Finish serving this young m and, being constable of the ward, I took the prisoner—the shilling wa the counter—I went round, took up the shilling, and took hold of the soner—he threw down a good shilling, and said he had just taken the shilling, and should be obliged to me for it—I said, "No"—I sent policeman, and gave him the same shilling—I am sure it was the same received from the prisoner.

Prisoner. When I came in you were not in the shop. *Witness.* I was.

Prisoner. I asked the young man for the coffee, and threw down shilling—the man took it up, and said it was bad, and said to another man, "Go, tell Mr. Brodribb to come out"—he came out, and "Fetch a policeman," and the policeman said I was known. *Witne* was in the shop, and began to serve you myself.

WILLIAM CORNWALL (*City police-constable No.* 57.) I took the pris on the 13th—I found on him a shilling, a fourpenny-piece, and ½d copper, and in his hat there were two half pounds of beef-steak, a small chump of mutton—he said his name was John Amos—I got this shilling from Mr. Brodribb.

MR. FIELD. These shillings are both bad.

Prisoner's Defence. The day I was taken at Woolwich, I had to Gravesend to sell some penny publications—I was returning home asked for a penny bun—the woman said the shilling was a bad one—I was sorry, and offered to pay for the bun—I was taken, but being dis ed, I went to my father, who gave me a half-crown—I went to Mr. ' orn's, at the Marsh-gate, and had a pint of porter, and they gave me for the half-crown—I went to the Hambro'-wharf, and then was goir —I thought I would take home the coffee, and then I was taken, all I know about it.

GUILTY.* Aged 17.—Confined Two Years.

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704. GEORGE GREEN was indicted for a misdemeanor.

THE HON. MR. SCARLETT *and* MR. ELLIS *conducted the Pro:*

WILLIAM TRIPP. I keep a beer-shop at Hayes. On the 8th o the prisoner came and asked for a pipe of tobacco—I told hir none—he then asked for a pint of beer—I sent my little girl t he put down a half-crown—I told him I could not give him then said, "I will take one of these little loaves which will m said it would be 6¼*d.*, but as he was a poor man I would farthing—I gave him four sixpences in change—after the gone I called my son, and he said the half-crown was bad—I sons to follow the prisoner—he was brought back in an hc crown had been on the counter all the while—I afterwards officer.

JOSEPH TRIPP. I am a son of William Tripp. I was pr

prisoner came, and saw him give the bad half-crown to my father—I went after him in about five minutes—I saw he was going along the path with another man; and as soon as he saw me and my brother go out, they *bolted* off as fast as they could run—we followed them to Adam and Eve-lane—they kept on—the prisoner got over the hedge, and pulled off his smock—the other man kept on, and I followed him—my brother went and took the prisoner—I did not catch the other one.

HENRY TRIPP. I saw the prisoner come into my father's house—I followed him—he jumped over the hedge, and was walking about with his hands behind him—he had pulled off his smock, and hid it under the hedge—I went to him, and said, "You must go with me; do you remember passing the half-crown at my father's?"—he said, "I will go with you, but I know nothing about it"—I brought him back to the tree, and asked if that was his smock—he said it was, and there was a half-quartern loaf in the ditch, opposite the smock—it was similar to the one he had bought of my father—I brought the prisoner back, and gave him to the officer—I then went back, and found the loaf among the dead leaves in the ditch.

HENRY FLETCHER. I am a constable of Hayes. I was sent for, and took the prisoner—I received this half-crown from William Tripp, and this loaf from Henry Tripp—(*producing a loaf.*)

WILLIAM TRIPP. To the best of my belief that is the loaf I sold the prisoner.

JOSEPH SPILLMAN. I saw the prisoner on the day he was taken, in the Duke of York public-house, and he said, if they had taken the other one he had twenty-four with him, and they would have made a better job of it.

MR. FIELD. This is a counterfeit half-crown.

Prisoner's Defence. I was going to seek for employment, when the man came and took me in the field.

GUILTY. Aged 21.—Confined Six Months.

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705. JOHN SULLIVAN was indicted for a misdemeanor.

MR. SCARLETT *conducted the Prosecution.*

SARAH MUNDAY. On the 10th of February I saw the prisoner in my husband's shop—it is a chandler's shop in East Smithfield—the prisoner wanted some bacon—there was a person with him—he asked the price of the bacon—I said 8*d.*—he asked me to let him have it for 7½*d.*—I said I could not take it, and then he said he would give me 8*d.*—one of them said, "Don't beat the woman down"—they bought some bread and potatoes, which came to 2*s.* in all—they paid a five-shilling piece—I gave change, and put the crown into my pocket—it staid there till the next morning—I had no other crown there—when I took it out the next morning I saw it was bad—I am sure it was the same as I took from the last prisoner—it was nailed on the counter, and was given to the policeman last Saturday.

Prisoner. *Q.* Was I in your shop? *A.* Yes, and you gave me the five-shilling piece.

EMMA RUSSEL. I am the wife of Thomas Russel, a victualler, and live at Wapping. On the 24th of February, the prisoner came for a pint of beer—I served him—he offered me a bad shilling—I saw it directly—I

knew the prisoner by sight—I took the shilling to my husband, and then sent for an officer—I had seen the prisoner previously—I am quite sure of that—he came on the Saturday fortnight before, the 10th—he called for a pint of ale, and then gave me a bad shilling, which I refused, and gave it him back again, and he gave me a fourpenny-piece—he has not the same appearance now as when he came to my house—the time first he had on a flannel jacket, and next, a fustian jacket, a black velvet waistcoat—a short frock under his jacket, and he had whiskers then, but I am certain he is the man.

THOMAS RUSSEL. I received a bad shilling from my wife on the 24th of February—I said to the prisoner, "This is the third time you have attempted to pass bad money"—I sent for an officer, and gave him into custody—he said he had received it that morning, and told a man with him to say that he had received it that morning, and gave the man 2*d.* to pay for the beer—I kept the shilling, and gave it to the policeman at the station-house—I had seen the prisoner on the 10th of February—I saw him again three or four days after that, and he tendered a bad half-crown to me, which I broke in half, and burned it—I said if he ever came any more I would give him into custody.

JOHN HALL (*police-constable H* 162.) On the 24th of February I was called and took the prisoner—I received this shilling from Mr. Russel, which I produce.

DANIEL M'NAMARA (*police-constable H* 159.) On the evening of the 24th of February, I went to Munday's shop, and got this five-shilling piece from her.

MR. FIELD. These coins are both counterfeit.

Prisoner. I was in Worship-street yesterday, and the woman said she did not know me in the station.

MRS. MUNDAY. I did not at first, but when I saw him with his hat on, I was sure he was the man.

Prisoner. The shilling I offered Mr. Russel I took that morning—I never was in the woman's shop at all.

GUILTY. Aged 24.—Confined Six Months.

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706. JOHN HUTCHINSON was indicted for stealing, on the 2nd of February, 9 wooden boards, value 6*s.*, the goods of Jane Grundy and another, his employers.

GEORGE NEWELL. I live at No. 9, George-passage, Snow-hill, and am foreman to Mrs. Jane Grundy and another, who are builders. I saw nine boards produced by the constable—they are my mistress' and master's—I never gave them to the prisoner—he was employed for my mistress and master.

Cross-examined by MR. PAYNE. *Q.* How many other persons were employed on the premises of the prosecutors? *A.* I cannot say—the name of Mrs. Grundy's partner is Thomas William Hartley, her son—I am the only person here—the boards were at the New Church at Holloway—I had the superintending of the building—I know the boards particularly—they are worth about 6*s.*—I know them by the marks put on them, and they have been compared with the others—I and Mr. Hartley compared them—this board (*looking at one*) was prepared for a window-board under my direction—here is a mark on it now, the M that was put on the morning after—I saw the stuff after the prisoner was taken—I know it by being the same stuff as we have at the building—this is not the only one that has any

mark to it—here is another piece that was cut off the fellow board to it—they have been compared with the stuff on the premises, and they are the same.

RICHARD MARTIN (*police-constable N* 170.) I was on duty at half-past six o'clock on Friday evening, the 2nd of February, and met the prisoner with nine boards—I stopped him and asked him where he got them from—he told me he brought them from the New Church, and they had been give him by the foreman, to take home to make moulds with—these are the nine boards he had—(*producing them.*)

Cross-examined. *Q.* Where did you see him? *A.* In the High-road, about half-past six o'clock in the evening—I went back with him to a beer-shop—I did not find any person there—he told me to go to the beer-shop—I am certain he used the word "Foreman"—I did not make a memorandum of it, but the foreman had told me before that he had not given any away.

COURT. *Q.* What were you to go to the beer-shop for? *A.* To see the foreman, who gave them to him, as he said.

JURY *to* GEORGE NEWELL. *Q.* Who is the man that prepared that stuff? *A.* It was prepared at the shop, under my direction—I cannot say who prepared it—perhaps it has been prepared twelve or eighteen months—the prisoner was employed on the works as a carpenter.

COURT. *Q.* Have you fitted this window-board with the others? *A.* Yes—there were nine of them—this is one of them.

GUILTY. Aged 27.—Confined Six Months.

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707. GEORGE BUTLER was indicted for stealing, on the 7th of February, 4 loaves of bread, value 1*s.* 6*d.*, the goods of Ebenezer Collier.

EBENEZER COLLIER. I live at No. 13, New Cavendish-street. I had the care of some bread—on the 7th of February I left my barrow of bread at the corner of Clipstone-street, and left James Murdock to watch it—I was away from five to ten minutes, not longer—when I came back, the bread was in the possession of Murdock, with the prisoner.

Prisoner. The four loaves were joined together.

JAMES MURDOCK. I live at No. 11, Cleveland-street, Marylebone. The last witness left me in care of a barrow and some bread, on the 7th of February—I was standing inside Mr. Ridley's, the publican's, door—I saw the prisoner take out four half-quartern loaves—I went and laid hold of him—I kept him till Collier came, and I gave him to the policeman.

GEORGE HEALEY (*police-constable D* 44.) I took the prisoner, and have the bread in my possession.

EBENEZER COLLIER. This is the bread I had—(*looking at it*).

Prisoner's Defence. My Lord and Gentlemen—I have served seven years with Mr. Andrews—I then went into business, but did not succeed—I have worked at the Docks, and being in a state of starvation, was reduced to do what has brought me here.

GUILTY.* Aged 46.—Confined One Year.

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708. JAMES GRIFFITHS was indicted for stealing, on the 2nd of February, 2 sacks, value 3*s.*, the goods of Edward Whitfield.

SAMUEL WRIGHT. I was in John-street, on the 2nd of February, getting a load of dung, and missed two sacks off the cart—I was away about

five minutes—they were Edward Whitfield's sacks—they have been brought back, and are here now —these are my master's sacks—(*looking at them*)—I missed these that day—they were in the street.

WILLIAM COLLIER. I saw the prisoner draw the horses on, and another person took the sacks off—I did not see the prisoner and the other man talking together—the prisoner pulled the cart up, that the driver might not see it—he could see it before the prisoner pulled the horses up—the other man pulled the sacks off, and the prisoner took them of him—they walked away down Swan-alley—I went and told the carman, and found the policeman—I went into a room, and found the prisoner and the sacks there—I did not know the prisoner before.

JOHN WRIGHT (*police-constable G* 32.) I went with Collier after the prisoner, and found him and the sacks in the room—I did not know the prisoner before, but I went there from information which I got.

Prisoner. I knew the woman where I went in—she asked me to have some breakfast; and when I went there, another boy was in the room; and after I had done breakfast, this boy and the officer came up—the boy said that I took the sacks, but I know nothing of them—they were there before I got there.

GUILTY. Aged 18.—Confined Three Months.

Fifth Jury, before Mr. Sergeant Arabin.

709. REUBEN WARD and THOMAS WOOD were indicted for stealing, on the 6th of February, 11 pairs of socks, value 1*l.* 5*s.*; 2 sheets, value 15*s.*; and 1 table-cloth, value 15*s.*; the goods of Ellen Hill.

ELLEN HILL. I live at Tottenham. I hung some things out to dry, on the 6th of February, at the back of the house—among other things, there were two sheets and eleven pairs of socks—I was in the garden, and they were all safe a little before four o'clock—I missed them a little before five o'clock—they have been found—I knew the prisoners—I did not see them near my premises—I saw my property again the next day—my garden is surrounded by pales, and partly by a brick wall—whoever took them must have got over the pales or the wall—the property is in Court now—this is it—(*looking at it*).

Cross-examined by MR. PAYNE. *Q.* How do you know this property? *A.* By the marks—there are marks on the socks, "I. N."—the mark on the sheets is "T. T."—I missed them on Tuesday, and saw them again the next day—they are Mr. Thomson's, but I wash for him—I have no other name but Ellen—I have no husband—I have known the prisoners twenty years, I suppose.

ANDREW SHILLINGLAW. I am thirteen years old. I know the house of Mrs. Hill—on Tuesday I saw Wood get over the pales, and *chuck* the things over to Ward who was then in the ditch—Ward took them up—Wood then got over the pales, and they went away, after one another—Ward carried the goods.

Cross-examined. *Q.* Who got over the fence? *A.* Wood, and Ward picked up the things—I am quite sure about that—I stood in the Mill-row—the prisoners were as far from me as from you to me—the pales were higher than me—I could see right over the pales as I stood in the road—the clothes were about as far from the fence as from here to you—the one that did not get over the fence stood in the ditch, and I stood looking at

them—there was a little boy with me—he saw all that took place—the road is higher so as to enable me to see over the fence.

SARAH NEWMAN. I knew these clothes were hung out to dry—I missed them at half-past four o'clock.

THOMAS MARTIN. I am a pawnbroker at Edmonton. About six o'clock, on the 6th of February, the two prisoners came to my shop together—they offered me these two sheets, and pawned them with me in the name of John Thomas.

Cross-examined. *Q.* Have you kept these sheets ever since? *A.* Yes—I have not much custom—I see a number of persons in a week—I am quite sure these are the persons that brought the sheets—we had no conversation—they brought them, put them down, and I asked what they wanted on them—they were there about five minutes—I cannot say exactly how many persons I see in a day.

JOSEPH WEBB. I am an officer. I took the prisoner Wood.

JAMES GRIFFITHS. I produce these socks, which were brought to me on the 16th by David Jones, who is not here.

(The prisoners received good characters.)

WARD—GUILTY. Aged 24. } *Recommended to mercy by the Jury.*
WOOD—GUILTY. Aged 19. } Confined Three Months.

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710. ELIZABETH ROBINSON and ANN JOHNSON were indicted for stealing, on the 6th of February, 4 cap cauls, value 5*s.*, the goods of George Ferguson; and that Elizabeth Robinson had been before convicted of felony.

PHŒBE BROWN. I am in the employ of Mr. George Ferguson. He keeps a shop in the general way—he sells caps and bonnets—I serve in the shop—the prisoners came there about three o'clock on the 6th of February, and asked for some women's worked caps without borders—I took a box from behind the counter, and showed them some—Johnson took one cap in her hand, and put several more on it—she showed the cap to Robinson, and said she thought it would do for her sister—Robinson took it, and put it into her bosom—she then took another and put it into her bosom, and then one of them said it was for another person—I put the lid on the box, and took another box of children's caps to show them, and then Robinson took one of the best caps, and put it into her bosom—when she asked the price of another, I said, "A shilling," but I would say 10½*d*—they said no, the party should come themselves, as it was a very unthankful office—I then came round the counter, and said they had not purchased any thing of me, but I should thank them to give me the things they had taken—Robinson said she had taken none—Mr. Ferguson then came forward, and Robinson took the caps out of her bosom—she threw them on the counter, and I found two more caps behind the counter, which were crumpled up.

Cross-examined by MR. PHILLIPS. *Q.* What did the prisoners take up? *A.* Two caps—Robinson denied taking the caps—there is no mistake about these things.

COURT. *Q.* Are they called caps, or cap cauls? *A.* They are called cap cauls, but a person might come in and ask for caps without borders.

MR. PHILLIPS. *Q.* You swore to me they were caps? *A.* They are cap

cauls—they are called caps in the trade—we call them cap cauls—I should call them caps.

Cross-examined by MR. CLARKSON. *Q.* All you saw Johnson do was to take up one and hand it to Robinson? *A.* Yes, that was all.

GEORGE FERGUSON. I was in my shop, which is in Whitechapel—I saw nothing of the transaction—Robinson's back was towards me, and I saw her take something from her bosom—I went in front of her—she had got one of these in her hand—in the trade they are called cap cauls, but a private person coming in would very likely ask for a cap without a border.

Cross-examined by MR. PHILLIPS. *A.* Is not the last witness, Brown, in the trade? *A.* She has been in my employ eleven years—in swearing that she calls them caps, she has sworn truly—an ignorant person would call them cap cauls, but a person in the trade would call them caps—they would call them cap cauls—she is right in calling them either—if it had got a border on, it would be called a cap; as it is, it is a cap caul—this is the head-piece that is sewn on here, and the other part of it is the crown.

GEORGE DEVEREUX BOLTON. I am a policeman. I took the prisoners.

EDWARD KIRBY DARLINGTON (*City police-constable No.* 11.) I got this certificate of Robinson's conviction from Mr. Clark's office—(*read*)—I was a witness—the prisoner Robinson is the person who was tried and convicted.

ROBINSON—GUILTY. Aged 30.—Transported for Fourteen Years.

JOHNSON—NOT GUILTY.

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711. ELEANOR CLARK was indicted for stealing, on the 2nd of February, 1 sovereign, 1 half-sovereign, and 1 bank-note for payment of and value of £5, the monies and property of George Cooper, from his person.

GEORGE COOPER. I live in Frederic-place, Mile-end, and am a boot and shoe-maker. On Friday, the 2nd of February, just about midnight, I was a little elevated, and met the prisoner just past Mile-end turnpike—I had been with my brother the best part of the afternoon—I was passing—the prisoner seized me from behind—she began to talk very quickly to me—I listened to her, and walked home to her house—she did not ask me to go—I went quietly on—I think she took me to No. 1, Little Collingwood-street, up stairs—I was there, I suppose, three quarters of an hour—I only gave her 1*s.*, to get a pot of porter and a pipe of tobacco—I had a sovereign and a half-sovereign, wrapped up in a £5 note, in my fob, under my watch—I was on the bedstead—I felt the prisoner's hand at my watch, as I thought, and I put my hand down, and the watch fell into my hand—I said, "What is this, how is this?" and immediately I was left in darkness—I suppose it was the prisoner's hand that pulled my watch out—the waistband of my trowsers had become unbuttoned—I judge that was by the operation of the prisoner—the braces were not undone—I missed my money, I suppose a quarter of an hour after she got the pot of beer and the pipe—I did not charge her with stealing it—she was too quick in going away, and leaving me in darkness—I went down to the street's end, and requested a person to tell the first policeman, and in a minute a policeman came to me—I told him, and he knew the prisoner, and knew her residence—I went to the station soon after, and the prisoner was brought, and said, "If you will give me the change, I will tell you where the £5 note is."

Prisoner. *Q.* Did you not fall against the table, and put the light out? *A.* No.

JOSEPH CROW (*police-constable K* 151.) I was on duty in Collingwood-street, and saw the prosecutor—he said he had been robbed, and described the prisoner—I took her in about an hour and a half—I told her some gentleman had been speaking to me, who had lost some money—I found her outside, in the street—I said a gentleman had been robbed, and wished to see her—she said, if I would allow her to go and fasten her door, she would go—I allowed her to go—I saw she had something in her hand, but I could not get it from her—I saw her put her hand down towards a hole in the floor of her house—my brother officer came up, took a sovereign, a half-crown, a sixpence, and a penny—when she got to the station-house, sergeant Watts asked what she did with the £5 note from the hole—she said if Mr. Cooper would give her the change, she would fetch the note—my brother officer found the note.

Prisoner. You asked where I had been, I said I had a man in bed at a house, and you said no, he was at the White Horse.

JOHN HOWARD RAM (*police-constable K* 118.) I assisted my brother officer in taking the prisoner. I took a sovereign, a half-crown, a sixpence, and a penny out of the hole—I heard her say, that if the prosecutor would give her the change, she would tell where the £5 note was—I went to the house with sergeant Watts, and he found the £5 note in a hole, close by the fireplace.

HENRY WATTS (*police-sergeant N* 21.) I was on duty, and went to the house—I found this £5 note (*producing one*) under the flooring—the prosecutor appeared to be selfpossessed.

GEORGE COOPER *re-examined.* I cannot swear to the note, only having received it that day.

Prisoner's Defence. I met this gentleman at Mile-end turnpike, and went home with him—he was very much intoxicated—I had very little candle and no fire—when he sat down he said he would have something to drink—I went for a pot of porter, some tobacco and a pipe—he went on the bed, and after he got up he said he should like to have a drop of gin—I said I should like a drop too—I went for some gin and a candle—* * * * * * * * * * * * * *—I then found his watch in the bed, and I gave it him—he then said, "Go and get the gin"—I went to look in the bed for some money that I had in my hand when I went to bed, and I found this money—I could not see what it was, and I went out with it—I then gave the publican a half-sovereign, thinking it was a sixpence, and he gave me the change—when I came to look in my hand I saw this money, and as I came back I saw the officer—he said, "Is that you?"—I said "Yes"—he said, "What have you got in your hand?"—I said, "Some money belonging to a gentleman in my house,"—he said, "He is not there, he is at the White Horse," and I was going to give him his money back again—I protest my innocence of the crime—I had no other intention but to give the money to him.

GUILTY. Aged 30.—Transported for Ten Years.

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712. JEREMIAH MURRAY was indicted for stealing, on the 25th of February, 2 half-crowns, 3 pence, and 2 halfpence, the monies of Caroline Wright, from her person.

CAROLINE WRIGHT. I am single. Between eight and nine o'clock, on

the 25th of February, I was in Farringdon-street—I was going across the road, and felt some one at my pocket—I turned, saw the prisoner, and laid hold of him—I intended to hold him till some one came to my assistance—he had his hand in my pocket—I had 6*s.* 4*d.*, and he took two half-crowns, three penny pieces, and two halfpence—I took him, and should have held him, but some men came up, and attempted to strike me—I let him go, and they all ran up Bear-alley—there were three men came up to me—I ran after them, and called, "Stop thief"—my money was found—I saw it at the watch-house.

Cross-examined by MR. PRENDERGAST. *Q.* I believe more money was found on him than you lost? *A.* Yes—Bear-alley is on the left-hand side of Farringdon-street in going from Holborn—it is close to the spot where I felt the prisoner at my pocket—I did not take the prisoner—I pursued him, and kept my eye on him, but they took him in a public-house—he was being taken into a public-house when I got up—the person who stopped him is here, I believe—Bear-alley is not opposite the Fleet Prison—I live in Stonecutter-street—my father is a shoe-maker—I live with him—a number of people were running up Bear-alley.

COURT. *Q.* You let the boy go? *A.* Yes, because one of the men attempted to strike me—I have no doubt about his person.

MAJOR JACKSON. I am a fireman, and live at No. 14, Bear-alley. I saw the prosecutrix lay hold of the prisoner—I observed three or four people in company, and they walked behind this lad on purpose to *cloak* him—I received a blow after I ran up Bear-alley—after one of the witnesses had taken the boy, he said, should he go for an officer—she said no, they had better take him to her father, and then they all molested us.

WILLIAM HUTCHINS. I am a gold-beater, and live at No. 10, Newcastle-street. On Sunday evening last I was going down Bear-alley, between eight and nine o'clock, and heard a cry of "Stop thief"—I saw the prisoner running on the other side—I let him pass me—I then ran, and took him at the top—I took him into the public-house—the prosecutrix came up, and said she had been robbed by him—I said, "Shall I go for an officer?"—she said she would rather hear what her father said—I said, "I will take him down"—I took him down to Stonecutter-street, nearly opposite her father's door, and then a party of men got round me, and took the lad from me—I am positive he is the same lad.

Cross-examined. *Q.* Did he not assert that he was perfectly innocent? *A.* He did—he said, "Begging your pardon, ma'am, you are mistaken"—I did not hear several people say he was not the person—a number of people came up, but they were entire strangers to me—I did not hear any of them say he was not the person—it was half an hour, I suppose, from the time he left me till I saw him in custody again—I am sure he is the person.

CHARLES KEEL. I am a patrol of St. Sepulchre. The prisoner was pointed out to me as the thief that had robbed the lady—I took him—he was not running—there were a number of persons behind him, and I was obliged to go into a house, for fear of being beaten by them—I did not receive any blows—I was hit—a man, who is gone to Bridewell, struck me when I had the prisoner—the prisoner tried to get away from me, and used his teeth over my knuckles two or three times—I had my finger bitten.

Cross-examined. *Q.* Were you struck by them or not? *A.* I was struck by the person who has gone to Bridewell—I did not say I was not struck

from a wish to tell any falsehood—they surrounded me, and I was compelled to go into a house for safety—I had not got a rattle—I did not call out—I went into a house, and there was a person there who was kind enough to render me assistance—I saw the prisoner searched—16*s.* was found on him—he said that he was going to take the money to his mother; but during that time I was sent out by the constable of the night, so that I did not hear all that was said.

COURT. *Q.* Were there any half-crowns among the money? *A.* Yes.

WILLIAM SPENCER. I am a watch-house keeper—I searched the prisoner, and found on him three half-crowns, and a sixpence, eight shillings, threepence, and a knife.

Cross-examined. *Q.* Did you ask the prisoner what sum he had? *A.* I asked him if he had any thing, and he said he had, and pulled out 3*d.*—I asked him if that was all he had—he said it was—it is not true that he said he was going to take the money to his mother—he said so at Guildhall, but not at the watch-house.

GUILTY.* Aged 16.—Transported for Ten Years.

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713. ANDREW LARKIN was indicted for stealing, on the 3rd of February, 1 shilling, the monies of John Tucker, his master.

JOHN TUCKER. I am a green-grocer—the prisoner lived with me—on the day stated, I gave him 4*s.* and sent him to buy a bushel of oats, which came to 3*s.* 10*d.*—I keep a horse and cart—the prisoner brought me back some oats, and 2*d.*—I sent for the party whom he had bought the oats of—they came, and there were three pecks only—I do not know exactly what that would come to—I had given him a half-crown and 1*s.* 6*d.*—he returned me 2*d.*

WILLIAM BARNARD. I am a corn-dealer. The prisoner came to me on the 3rd of February—he bought three pecks of oats, and gave me a half-crown and 6*d.*—I returned him 3*d.*—I only received 2*s.* 9*d.*

EDWIN BAXTER. I am a policeman, and I took the prisoner.

JOHN TUCKER *re-examined.* He told me he bought them of Mr. Barnard—the oats measured three pecks—they came to 2*s.* 9*d.*—he did not say that he had spent all the money except the change—he only gave me 2*d.* change.

(The prisoner received a good character.)

GUILTY. Aged 18.—*Recommended to mercy by the Jury and Prosecutor.*—Confined Three Days.

OLD COURT.—*Thursday, March* 1*st*, 1838.

Second Jury, before Mr Sergeant Arabin.

714. JAMES PIGEON was indicted for stealing, on the 12th of February, 1 iron weight, value 2*s*,, the goods of George White.

FRANCES WHITE. I am the wife of George White, and live in Byrne-street. On the evening of the 12th of February, a boy, who I believe to be the prisoner, came into my shop—he took a 14lb weight out of the scale and went out into the street—I ran after him, and fetched him back—he had not got the weight then.

Q. Are you sure the boy who took the weight is the boy you caught and

penny theatre, and took him away from me—I ran after the boy whc give the weight to the other, and brought him back—I had see before, and knew where he lived, but did not know his name—sure I saw him take the weight—I do not know any of his re —none of them have been speaking to me.

JURY. *Q.* How long have you known him previous to his c into your shop? *A.* I have seen him go by, and he came for coals.

CORNELIUS LOVEGROVE (*police-constable D* 139.) I apprehend prisoner—Mrs. White told me who he was—she told me his nam where he was to be found, and said he was the boy who had her—I found him at his father's residence, lying on the floor— him up, and said to Mrs. White, "Is this the boy?" and she "Yes."

Prisoner's Defence. I never took the weight, nor ever saw it.

GUILTY.* Aged 13.—Transported for Seven Years.

(The prisoner has been five times in custody.)

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715. CHARLOTTE WILLIAMS, *alias Fennell*, and MARY LEWSLEY were indicted for stealing, on the 6th of February, 1 value 5*s*., the goods of John Wright.

JAMES DAVIS. I am a policeman. About half-past six o'clock evening of the 6th of February, I saw the two prisoners in Mary-Hampstead-road, nearly half a mile from Mr. Wright's house—they carrying the stove between them, each having one end of it—I watched —they took it to Mr. Sharp, a broker's shop in Brook-street—Wi went into the shop, and Lewsley remained at the door—Williams to stove in, and afterwards brought it out, and both of them carried it other broker's, at No. 24, Brook-street—Williams took it in there Lewsley remained outside—I then went and made inquiry of Mr. —I went and took them into custody, with the stove, and four

Before Mr. Baron Parke.

716. WILLIAM BOWERS was indicted for feloniously embezzling 2 certain post letters, while he was employed under the Post-office of Great Britain; the property of Thomas William, Earl of Litchfield, her Majesty's Post-master General: 2 other Counts, varying the manner of stating the charge.

Mr. Phillips applied to the Court for permission for the prisoner to withdraw his former plea of "Not Guilty," which being allowed, he pleaded

GUILTY. Aged 33.

(The prisoner received a good character, and was recommended to mercy by the Crown.)

Confined One Year.

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717. EDWARD BRENCHLEY HOGWOOD was indicted for that he, while under the employ of the Post-office of Great Britain, feloniously did embezzle a certain post letter, containing 1 half-sovereign, 2 half-crowns, and a £5 Bank-note; the monies and property of Thomas William, Earl of Litchfield, her Majesty's Post-master General: 3 other Counts, varying the manner of stating the charge: 5th and 6th Counts, stating that he was employed by the Post-office, and during such employment did embezzle, secrete, and steal a letter, without stating it to contain monies.

Mr. Phillips, on the part of the prisoner, requested permission to withdraw his plea of "Not Guilty," and he pleaded

GUILTY to the 5th and 6th counts. Aged 27. *A noli prosequi* was entered on the 4 first counts.

Recommended to mercy by the Crown.—Confined Eighteen Months.

Before Mr. Baron Parke.

718. ELLEN M'GRATH was indicted for feloniously uttering a counterfeit shilling to Mary Ann Vandersteen, on the 12th of February, well knowing it to be counterfeit, having been previously convicted as an utterer of base coin.

Hon. Mr. Scarlett *and* Mr. Chambers *conducted the Prosecution.*

Caleb Edward Powell. I am assistant solicitor of her Majesty's Mint. I produce a copy of the record of the conviction of Ellen M'Grath, in July, 1834, at the Middlesex Sessions, for uttering counterfeit coin —I have examined it with the original record in the office of the clerk of the peace, and it is correct—(*read.*)

Mr. John Field. I am inspector of coin to the Mint. I was present at the prisoner's trial, in 1834, at Clerkenwell Sessions, when she was convicted of uttering counterfeit money—the prisoner is the person.

John Jones. I keep the Duke's Head public-house, in Norton-falgate. On the 2nd of February, between four and five o'clock in the afternoon, the prisoner came to my house and asked for half a quartern of gin—I served her—it came to twopence—she gave me a bad shilling—I did not immediately discover it to be bad, but, having no change, I took it to my wife—she bit it, and said it was bad—I then looked, and saw it was bad—I took it back to the prisoner, and told her it was a bad shilling—she was very saucy —I did not return it to her, but kept it in my hand—Bevis, the beadle, was

in the house, and I told him to keep her till I went for an officer—I fetched one, and gave her into custody—I kept the shilling in my hand till she was searched—there were two good sixpences and threepence in copper found on her—I gave the shilling to Bateman, the officer.

Prisoner. It was another woman gave him the shilling—his wife came and threw it on the counter, and the other woman snatched it up. *Witness.* It was not so—there was another woman there, but the prisoner gave me the shilling.

Prisoner. It was handed round to four or five persons. *Witness.* I was not—I am sure it never went from my hand—I marked it with a cross.

JOHN BATEMAN. I was called on by Mr. Jones to take the prisoner into custody—I searched her, and found two sixpences and 5½*d.* in copper—the sixpences were good, but one appeared to be gilt—I took her to the station-house—I kept the gilt sixpence till after she was discharged, and then I returned it to her—Mr. Jones gave me a shilling—I have not got it here—I kept it till I was called a second time to Worship-street, and then accidentally lost it—the prisoner was discharged at Worship-street on that occasion—I showed the shilling to Mr. Field and Mr. Powell at the office.

MR. FIELD *re-examined.* Bateman showed me a shilling at Worship-street, when the prisoner was examined on the 6th of February—I examined it, and it was a counterfeit one—I have for many years been accustomed to inspect counterfeit coin.

MARY ANN VANDERSTEEN. I am the wife of Charles Vandersteen—he keeps the Fryingpan public-house, in Brick-lane. On the 12th of February the prisoner came to our house and asked for 2*d.* worth of gin, which I gave her—she gave me a shilling—I had nobody there—I examined it, and it was bad—I said to her, "It is a bad shilling"—she then gave me two penny pieces, which she had in her hand—I called a man out of the back room, and asked him to look at the shilling—he did so, and returned it to me—it was not out of my sight a moment—he gave it to me again instantly—I sent for a constable—being alone I did not immediately give her in charge, and she went out—I never parted with the shilling till I gave it to the constable—she was brought back to my house by sergeant Power—he said, "Have you had a bad shilling offered to you?"—I said, "Yes"—he said, "Is this the woman?"—I said, "Yes, and she ought to be given in charge"—he detained her, and I gave him the shilling.

Prisoner. You took some more money off a shelf, and mixed them together in your hand, and your son had it in his hand—he handed it to another young man, and it fell on the floor—another young man took it up and gave it back to you—you sent for a policeman, but did not give me in charge—another policeman followed me outside the door, and gave me in charge—I did give you a bad shilling—I do not deny it, but which of the two I gave you you cannot swear to. *Witness.* I gave the shilling she gave me to the policeman—I had some bad money on my shelf—I took it down and showed it, and said, "Is this bearable, to have so much bad money?" but I kept it in the other hand—the shilling was never out of my sight from the time I received it from her, till I gave it to the policeman—a man looked at it, but it was not out of my sight—I am positive I gave the policeman the same shilling I received from her.

DENNIS POWER. I am a policeman. I was on duty in Brick-lane on

y, the 12th of February—the prisoner was pointed out to me by a constable, near the Fryingpan public-house—I took her into custody, k her to Mrs. Vandersteen's house, from whom I received a shilling, I now produce—it is the same I received from her—the prisoner was custody.

ner. *Q.* Did not you mix that with another bad shilling which Mrs. steen gave you, and did not you pull it out at Worship-street among l of other money? *A.* No, I did not mix it with any others—I it up in paper directly I got it, and put it into my pocket—Mr. steen gave me another bad shilling besides, and said he had every to believe she passed that one—he gave me that on the following

FIELD. I have examined this shilling—it is counterfeit in all .

ner's *Defence*. It is not the shilling I gave Mrs. Vandersteen—I ocent of the charge.

GUILTY. Aged 30.—Transported for Seven Years.

re was another indictment against the prisoner.)

Before Mr. Baron Bolland.

ALEXANDER TURNER was indicted, for that he, on the January, feloniously did gild 3 pieces of the Queen's current silver lled sixpences, with materials producing the colour of gold, with o make the same resemble and pass for the Queen's current gold lled half-sovereigns.

ON. MR. SCARLETT *and* MR. CHAMBERS *conducted the Prosecution.*

IAM REYNOLDS. I am a constable, and live at No. 19, Ann-street, ville. On the 27th of January I went to No. 127, Wentworth-street, apel, at a little after three o'clock in the afternoon—two officers, Duke and Hall, were with me—I found the street-door of the house I went up two pair of stairs, followed by Duke and Hall—when I got op of the two pair of stairs there was no landing—there was a ich was shut—I tried it, and found the fastening of the door—ling about for the fastening, I found a piece of cord hanging down l hold of that with my right hand, and put my left hand on the y pulling the cord I removed a log of wood, which was placed the door, and opened it—I entered the room immediately; and on hand side of the room, sitting in front of a small furnace, on a stool, prisoner—he had on a waistcoat with sleeves—there was charcoal furnace—as soon as I entered the room he rose up from the seat—a small brush in his right hand—Duke and Hall had followed me room—I took hold of him on one side, and Duke took hold of him other side—he resisted having the handcuffs on, and dropped the the ground—I handed him over to Hall—Duke went to the fur-rned round, and said, "Reynolds, look at this, feel this"—he me a sixpence, as if it had been under the process of gilding—I nd it was quite warm—it appeared yellow—I then went to a bench the window, alongside of where the prisoner had been sitting—I l a tin dish containing charcoal-ashes, and then saw the lid of a tin removing that, I saw three silver sixpences under the box-lid—Hall, and gave them to him—he took them up—I afterwards

removed another tin box, and under that found four sixpences, which Hall took—three of them had the appearance of half-sovereigns—they were quite yellow, and the other partly so—I did not find any more sixpences.

Cross-examined by MR. PHILLIPS. *Q.* Did you find the door open? *A.* No, I did not—I pulled the cord, which moved a log of wood against the door, and then lifted the latch—I went there in consequence of information—we brought away every thing appertaining to this charge—Duke has some of the things, and Hall some—they were not so many that one person could not carry them.

ROBERT DUKE. I am an officer. I accompanied Reynolds to the house, and entered the room with him—I observed the prisoner leaving one part of the room hastily, and go to the other—I observed the furnace in the room—it was a small furnace—this iron (*producing it*) contained the charcoal fire in the furnace; andat the back of the furnace was an iron grating, which went into the chimney—the work-bench was immediately underneath it—on the hearth, where the furnace was, I found this sixpence, very near the furnace—it was quite hot at the time, and I handed it to Reynolds, to see that it was so—in front of the work-bench I found this other sixpence; and on the left-hand side of the work-bench I found three other sixpences—I found two vessels containing portions of quicksilver; and at the time I found them they contained also some other liquid, which smelt very strong of vitriol or aquafortis—I found a bottle containing quicksilver; and on the same work-bench I found an oyster-shell, containing some white substance, which, at that time, was in a soft state—I also found a pair of pincers, very near the furnace, and some other tools.

Cross-examined by MR. CLARKSON. *Q.* I suppose you had seen the officers of the Mint before you went there? *A.* I had not—I cannot tell who employed me—I am a police officer of Hatton-garden—I cannot tell who sent us to the place—I went with Hall and Reynolds—Hall asked me to go—I had not seen anybody on the subject before I went.

Q. Are you employed as an officer to detect these offences for the Mint? *A.* I do not know that I am bound to answer.

COURT. You will answer the question. *Witness.* I am.

MR. CLARKSON. *Q.* How long have you been so employed? *A.* Three or four years—I am paid for my time—I am not paid by the job—I am paid for the time I am occupied—I thought you meant, by the lump, whether I had a certain sum—I think I am paid sometimes 5*s.* or. 7*s.* a day—I do not know that there is any regular price—the Mint people pay, and Hall pays me.

Q. Now, was not all this got ready to your hands; do not you know that? *A.* I do not know it—I do not believe it—I know nothing but that I went there—I do not believe it was got ready to our hands—I went in company with Hall—I got to the door before him—there was a latch pulled by a string—I knew nothing about that before, for I took a crowbar with me on purpose to open the door—I did not expect to find the latch and the string to it, nor the log of wood—I certainly expected to find the door locked, as they usually are—I knew what room to go to before I went—Hall told me—nobody else—I swear that—I had not seen Mr. Powell before I went there—I dare say I had not seen him for a week before—I had not seen him three days before, to my knowledge—I will swear I had not seen him on this subject—I had no conversation with him about it—I came straight from Hatton-garden with Hall to the place—an-

other man, named Buckley, was in our company—he is a street-keeper in St. John's-square—there was nobody else—I swear that—I had not met anybody that day beforehand, nor had Hall, to my knowledge—he has not told me so—I know nothing myself except what Hall told me.

Q. Now, did you not know from Hall, before you went there, that you would find the things there, and the man there ready for you? *A.* No—nothing of the kind—I did not know the man's name—Hall did not tell me—we had no warrant—there had been no information given to the Magistrates on the subject—the Magistrates had not been informed by the Mint that we were going on the discovery, to my knowledge—I do not believe they had—Hall never told me who employed him—on my oath, I have not seen anybody on this business but officers, nor do I know from Hall that he has—I believe he has not.

Q. Then you believe he went there casually? *A.* I do not know about that—I have not received any money for this—I expect to get paid for my time—I cannot tell whether I shall have 5*s.* or 7*s.* a day for this job—I mean to say that is all we are paid—Hall gets it in the lump, and divides it—I have been employed on many such occasions before—I did not know what we should find in this room when we went into it.

Q. Did not you expect to find coloured sixpences, or something of that kind, in the room, and the materials in progress, when you got there? *A.* No, I did not know any thing about it—I did not expect to find any thing—I expected we should find, perhaps, some sort of money—counterfeit money—I had no reason to expect to find any thing except something going on with relation to the coin of the country—Hall gave me reason to expect that—he wished me to go along with him to this place, and now you know as much as I know about it—I will swear that.

Q. On your oath, had you any more doubt than you have at the present moment, that you should find there what you did find, or something with reference to some offence? *A.* I have told you I did not know what we should find there, whether it would be gilt sixpences or counterfeit money—Hall did not say any thing to me about gilt sixpences, nor gilding—I swear that.

William Hall. I am a police-officer of Hatton-garden. I went with Duke and Reynolds to Wentworth-street, and assisted in apprehending the prisoner—when I entered the room he was standing up, and Duke was putting the handcuffs on him—I was the last that went into the room, but not above a minute after them—we were all on the staircase together—I took the prisoner into custody from Duke directly I went into the room—I searched him, and while I was doing so, he said I should find no bad money on him, nor *them* neither—in his left-hand pocket I found this purse, containing ten good sixpences, of various dies—in his right-hand pocket I found a purse, containing 7*l.* 2*s.*—after searching him, Reynolds said, "Hall, look here"—I went to the bench where he was standing—he took up a tin cover, and under it were three sixpences—Reynolds gave them to me—these are the three—(*looking at them*)—he then took up another cover, and there were four sixpences, which he gave me—three of them have the garter removed, and are yellow—I have given the prisoner the amount of the good money found in his right-hand trowsers pocket—there are half-sovereigns among it—I kept the money itself, and gave him other money for it.

Cross-examined by Mr. Phillips. *Q.* Did you take all the money,

good and bad, that you found? *A.* I did not find any bad—I have only got 4*s.*, due to him—I gave him back the 7*l.*—I told him to apply to the Magistrates for it, and they said, "Give it him back"—I went by appointment to the house—I was ordered to go there, not by the Magistrate, but by the authorities of the Mint, by Mr. Powell—I took Duke, Hall, and an assistant with me—Mr. Powell never tells me who to take with me—I take who I can get ready at the time—I went to the office and got them—they had been employed by me before—I have a salary from the office for doing public duty as a constable—the Mint pay me, not by the year, but according to the time I lose—that is an extra duty.

Q. Are you not liable, during that time, to be called on by the Magistrates to do their duty? *A.* Yes, frequently—my duty is to be at the office to-day, but I am here—the Mint reckon up what they owe us, and pay us—I have been employed by them several years—I always send an account that I have lost so many days, and they pay us 7*s.* a day each, I should say—the others do not send in their accounts—I send in for the three who are here now—I did not know who would be in the house when I went—I went, expecting to find a prisoner or prisoners there—and I expected to find them gilding sixpences, as is described.

Q. Of course, when you employ officers, you tell them what you are going to take them about? *A.* Every day, when we are going, after we are started—I told the officers, on this occasion, that we were going to Wentworth-street, to apprehend people suspected of gilding sixpences—I told Duke so among the rest—he knew where we were going—I told him, (I think it was on the road that I named it,) I told him we expected to find somebody gilding sixpences—that was from information—I saw Mr. Powell before I went—I believe I spoke to him that morning, but I cannot recollect—I believe I did—I am almost sure I did—it was by his desire I went—I cannot exactly say whether Mr. Powell was alone when I saw him—Mr. Blunt might be in the room at the time—if anybody else was there, it was either Mr. Field or young Mr. Powell—there was no stranger there—Mr. Powell told me the number of the house—I did not try the door, it was open when I went—the street-door was open.

Q. Did you expect to find it open? *A.* It was open—I did not expect to find it open or shut—I understood it was open—the street door was nearly always open—that was what I was informed, and no doubt it would be open, or something like it; and that I told Duke also—I said, I dare say the door would be open—Mr. Powell told me no doubt the door would be open—I did not ask him how he found that out—he told me to go up to the second story, and there it was likely I should find them—I communicated all this to Duke and my brother officers—I kept nothing from them—I told them what Mr. Powell told me.

Q. Had Mr. Powell described to you the way in which you might expect to find the door of the chamber? *A.* He did not describe it at the time—there was a large post inside, which was pulled up by a rope—Mr. Powell named that it might possibly be so—he said, "You are to pull the rope and up comes the post, and you will get in"—there was a lock or something inside—I do not know whether the door was locked, for I did not force it myself—I know the men were some time getting in, very likely three minutes—I was standing on the stairs, and by the way they had to push it open, there was something of a lock—I could not get in without

pushing it open—there was a spring, or bolt, or something—I had to put my shoulder to it to open it, after they had got in.

Q. Did not you tell me a few minutes ago you did not know about the door, that they had broken the door and got in before you? *A.* We were all on the stairs together—they did break open the door and get in before me, but I put my shoulder to it afterwards and opened it—it had slipped too and fastened—they had got inside before that—it slipped too after them, and I pushed it open.

Q. Did Mr. Powell describe to you the trade of this man? *A.* He said he believed him to be a watch gilder—I expected he was a gilder—I have produced every thing I found—here is a little bottle found in a cupboard, which I believe has had quicksilver in it—I have not been paid for this job.

COURT. *Q.* Is this a private house, or is it let out? *A.* It is let out to three different persons—I believe the bottom is a green-grocer's.

MR. JOHN FIELD. I have examined the coin which has been produced—these are all good sixpences—there are three or four of them which are gilt—the three produced by Hall, and they are sixpences of the reign of Geo. IV., and all have been gilded with gold—one of them has had an alteration on the reverse side, by the removal of the garter surrounding the shield—three of those produced by Hall are in that altered state, but not gilt—the garter has been removed in all of them—here is another produced by Hall of the same description as the last—it has been altered, and is in an earlier stage of the process of gilding—it requires the further application of fire, and a brush to part the quicksilver from the gold—all I have now spoken of were produced by Hall.

WILLIAM REYNOLDS *re-examined.* *Q.* What did you do with the piece of money you found on the hearth? *A.* Duke found that—that is the one in the dull state.

MR. FIELD (*continued.*) I am of opinion this appearance could not be produced unless an amalgam of gold and quicksilver had been put on it—in fact I feel convinced of that—I have no doubt of it whatever—here is the sixpence found on the hearth—(*looking at it*)—this is also a good sixpence, and altered in the same way by removing the garter; it also appears to have the amalgam of gold on it, gold and quicksilver—it is not yet finished.

Q. Are you satisfied that appearance on it, arises from the amalgam of quicksilver and gold, or from the heat of the furnace throwing out the alloy? *A.* From my experience I have no doubt there is a portion of gold on the surface, a considerable portion of gold on the surface of it—the three are also certainly gilt—here are four other sixpences, produced by Duke, in an earlier state of gilding—three of them appear to have only had quicksilver, but nogold on them—this substance produced in the paper is an amalgam of gold and quicksilver—(*this was the substance found in the soft state*)—that is a material always used in this process of gilding—the proportion is generally one part gold to six or eight of quicksilver—this process of gilding is usually called water gilding—water gilding is the technical term known in the trade, that is, gilding by amalgam—it is technically called water gilding—there are many other processes of gilding—the silver is generally cleansed by muriatic acid diluted, it is then washed over with quicksilver only, and then the amalgam of quicksilver and gold is applied, by rubbing it on by one of these instruments which have been

produced, and which is generally used for the purpose by watch-gilders; it is then held over a charcoal furnace; the quicksilver is driven away by the heat, and a brush is applied to take away the remaining portions—these basins each contain quicksilver, and the bottles also contain quicksilver—this glass vessel when at the police-office smelt very strongly of acid—I could not tell what—there is quicksilver in it—they both contain quicksilver, and the bottles also—two of these half-sovereigns produced by Hall resemble the sixpences.

Cross-examined by MR. PHILLIPS. *Q.* I suppose, Mr. Field, as an officer of the Mint, you have seen the Act of Parliament, on which this indictment is founded? *A.* I have, and have read it every word—I believe there are washes capable of producing the colour of gold, which do not contain gold—I believe there are materials a combination of which are capable of producing the colour of gold, but not containing gold.

Q. I suppose, by the colour of gold you mean coin to look like gold? *A.* I have said nothing about coin—I am not aware of any materials capable of producing the colour of gold on coin, unless it has gold—I will not undertake to swear they will not produce the colour of gold on coin—I am not a chemist—I carry a little bottle about with me sometimes to test bad silver—it was not given me by a chemist—I saw this amalgam at the police-office—the officer took it away with the other things—I had not seen it before it was at the police-office—I merely looked at it then; but I have to state, that I took a portion of it and tested it, and am prepared to state what it is, and I have the result of my trial in my pocket—(*producing it*)—it is an experiment I made from a portion of the amalgam I had from Duke—it was not produced before the Magistrate—I have had it since from Duke, and tested it—that was in the absence of the prisoner.

COURT. *Q.* What is the result of your analysing it? *A.* About two grains of gold to about six grains of quicksilver.

MR. PHILLIPS. *Q.* By whose desire did you analyse it? *A.* Not by anybody's, but for my own satisfaction—I might certainly have got a portion of it from Duke before the prisoner was examined—I did not weigh the quantity I had from Duke, but I imagine it was about eight grains originally.

GEORGE LYONS. I let the room at No. 127, Wentworth-street, to the prisoner—he has lived there thirteen years—I always took him to be a watch-maker or a watch-gilder.

Cross-examined by MR. PHILLIPS. *Q.* I observe something in your deposition which has not been asked you, how much rent does he owe you? *A.* About nine months' rent—it has been accumulating at 2*s.* a week—during the time he has been there he has run that back.

MR. PHILLIPS *to* MR. FIELD. *Q.* You have sometimes, I dare say, seen coin placed at the bottom of punch-ladles and punch-bowls? *A.* I have, many times.

HON. MR. SCARLETT. *Q.* Have you ever known or heard of any wash that would produce the colour of gold on coin, except an amalgam of gold and quicksilver? *A.* Never—I cannot say that I ever saw any coin at the bottom of punch-ladles or bowls with part of the impression removed—I have seen many Queen Anne shillings—I never saw coin with the garter removed, to my knowledge.

COURT. *Q.* You have often seen, in that way, silver money gilt, and pure gold money? *A.* Yes, both.

MR. PHILLIPS. *Q.* You cannot undertake to say that many of them might not have had the garter? *A.* Certainly not—there are certainly many things in the world which I never heard or knew of—I do not undertake to say there may not be a wash which is not gold, capable of producing the colour of gold on silver.

GUILTY. Aged 54.—Judgment Respited.

Before Mr. Baron Parke.

720. WILLIAM KING and HANNAH KING were indicted for feloniously and falsely making and counterfeiting four pieces of false and counterfeit coin, resembling, and apparently intended to resemble and pass for four pieces of the Queen's current coin, called half-crowns.

THE HON. MR. SCARLETT *and* MR. CHAMBERS *conducted the Prosecution.*

DENNIS POWER (*police-sergeant H* 18.) About eleven o'clock, on the night of the 8th of February, I went into a chandler's shop, kept by James Wolley, and from information I received there, I was led to the Queen's Head—in consequence of information I received there, I went to No. 11, Bennett's-court—Bailey and Garby, two police-constables, were with me—it was between eleven and twelve o'clock—I knocked at the door of the house—the female prisoner answered the door—I did not know her before—I asked her whether a female lived there, named Hill—she said, "No"—I then asked her whether her husband, King, was within—she said, "Yes, he was"—I immediately ran up stairs, desiring the constables to follow me—my lantern was lighted—I went up one pair of stairs—the house consists of two rooms—I went into the room, and saw the male prisoner standing by the bed—he was then trampling on a white substance, which I could see under his feet—I endeavoured to take him into custody—he crossed the room as quickly as possible, and threw a handful of what I considered was half-crowns, into his mouth, from his right hand—I laid hold of him by the throat, and felt them distinctly in his mouth, and in the passage leading to his throat—I could feel distinctly that they were half-crowns—I could not form any idea of what number—I should say there were a great number—he was unable to utter a syllable, his mouth was so full—I did not get any of them out—he swallowed them—I called for Bailey to assist me—he came and held his hands—he was very violent, attempting to get away—he struggled hard, and while he was struggling the female prisoner entered the room with a lighted candle, which she immediately blew out, and said, "Oh, my God, we are done," or words to that effect—Bailey said, "He is reaching towards the fire"—he had at that time extricated his left hand from Bailey, and Bailey said, "He is endeavouring to throw something into the fire"—(the fire was low)—I looked, and saw him reach his left hand towards the fire—I let go of his throat, and told Bailey to hold him—he got his left hand from me, and passed something from his left hand to the right, and out of his right hand I took four counterfeit half-crowns, which I produce—Bailey said, "There is another at his feet"—I looked down, and saw him endeavouring to conceal a half-crown on the floor, with his feet—I took it from under his feet, and now produce it—I desired the constable to keep him in safe custody while I searched the room—he said, "You need not search any more, you have got enough to *lag* me"—I searched his person, but found

nothing else on him—I picked up the white substance which he was trampling on, and have it here—I searched, among other places, a drawer in a table, and found a small file, with a quantity of white metal in the teeth of it, as it is now—I then found two Britannia metal tea-spoons; and on the mantel-piece, a large tobacco-pipe, with a quantity of metal in it, and black, as if it had been in the fire—the male prisoner then said, "That will help to transport me"—I found a pair of scissors on the mantel-piece—I afterwards found a flour-tub in the room—on looking into it, both the prisoners stated, nearly with one breath, that it contained flour; but on examining it, I found it was plaster of Paris, in powder—I then went into the lower room, and found, in the table-drawer there, a sheet of glass-paper—I asked the male prisoner if he knew any thing about Hill—he said he did not—he said a man must do something for a living, and he might as well be transported—I told him not to say any thing more to criminate himself.

Cross-examined by MR. PRENDERGAST. *Q.* Did he not complain of his situation being very bad? *A.* Yes.

WILLIAM BAILEY (*police-constable H* 104.) On the 8th of February, Thomas Fuller called me into his shop, and gave me a bad half-crown—Power, the officer, came in soon after; and, in consequence of what passed, I went with him to the prisoner's house—I have heard Power's evidence, and confirm what he has said.

JAMES GARBY (*police-constable H* 30.) I went to the prisoner's house with the officers, and saw the articles found, and what took place.

MR. JOHN FIELD. I have examined the stuff produced by the officer—it appears to me to be parts of a plaster-of-Paris mould, for the purpose of casting half-crowns—on three of the pieces there remains a small portion of the impression of the obverse side of a half-crown—I can trace some of the letters—here is "E, J, G, R, A," on one of the pieces, and "R, G," on another—I am satisfied it has been a mould for half-crowns—I have examined the five half-crowns, they are all counterfeit, and have all been cast in one mould—they are Britannia metal, a similar kind of metal to the tea-spoons produced—the half-crowns are of the date 1818, and I believe this portion of the mould has been made from the same coin—this powder is plaster-of-Paris—the tobacco-pipe contains white metal of a similar description—this tin band is used to put the mould into shape—the roughness is taken off the coin with a file, and the glass paper is used after the file—the scissors would cut off the get which fills up the channel of the mould.

Cross-examined. *Q.* Are there any portions of the mould you can show to the Jury that they can distinguish the letters on? *A.* There are letters on it which they can distinguish.

Q. May there not be letters precisely answering to these on the coin of a foreign country? *A.* I cannot say that it is impossible—there are many coins without the words "Dei Gratia" on them—glass-paper is used in a great many trades.

MR. SCARLETT. *Q.* One part of the mould has part of the circle? *A.* There is part of the engrailed edge—the edge of the half-crown corresponds with it.

WILLIAM KING—GUILTY. Aged 31.—Transported for Seven Years.

HANNAH KING.—NOT GUILTY.

Before Mr. Baron Bolland.

721. HENRY CLARK was indicted for feloniously uttering a counterfeit shilling to Samuel Crask, on the 22nd of January, well knowing it to be counterfeit; he having been previously convicted as a common utterer.

THE HON. MR. SCARLETT *and* MR. CHAMBERS *conducted the Prosecution.*

CALEB EDWARD POWELL. I produce a copy of the record of the conviction of Henry Clark, at Lewes, in February, 1836—I have examined it with the original record in the office of the Clerk of the Peace at Lewes, and it is a true copy—(*read.*)

EDWARD JOSEPH POWELL. I was present at the conviction of the prisoner in 1836—I am positive he is the same man who was then convicted.

ISABELLA COSTIN. I am the wife of Philip Costin, a tobacconist, in Baker-street, Strand. Between twelve and one o'clock, on the morning of the 18th of January, the prisoner came to our shop, and asked for two Cuba cigars, which came to 3*d.*—he offered a half-crown in payment—when he put it on the counter I saw that it was bad, and asked him if he had any more like it—he said, "No," and he did not know what I meant by that—I said, "This is not a good one"—my husband, who was in the parlour, came out on hearing me say that, and called a policeman, who took the prisoner into the parlour, and searched him—I kept the half-crown, and showed it to my husband—the prisoner was let go—as only having one piece, we thought it no use keeping him in custody—I kept the half-crown till the 29th of January, and then gave it to the policeman at Bow-street—I am quite satisfied the prisoner is the man who gave me that half-crown.

Prisoner. *Q.* What can you swear to me by? *A.* By your appearance altogether—when I went to Bow-street, there were five more prisoners besides you—the policeman did not say, "That is the one, with the red comforter and plaid waistcoat"—he did not say I must swear to you.

COURT. *Q.* When you went to Bow-street, did you see other persons besides the prisoner? *A.* Yes—I did not recognise him at first—the goaler desired him to pull a comforter down, which he had about his face, and concealed part of it, and then I knew him immediately.

RICHARD HELMSLEY (*police-constable F* 69.) I was called in to Costin's shop, and saw the person who passed the half-crown—the prisoner is the man—I searched him, but found nothing on him, except a farthing, which he had in his hand—I received a half-crown from Mrs. Costin, and have it here—(*producing it*)—I received it from her on the 29th of January.

Prisoner. *Q.* Can you swear that is the same half-crown you received? *A.* Yes, by a mark on it which I made with my teeth, and likewise I saw it beaten with two weights—this is the same.

COURT. *Q.* Was that done when you were called into the shop, and the half-crown shown to you there? *A.* Yes, and then I returned it to Mrs. Costin—the marks are on the head—(*pointing them out.*)

SAMUEL CRASK. I keep a public-house in Drury-lane. On the evening of the 22nd of January, the prisoner came in, in company with another man, and asked for a pint of beer—I served him—he offered me a counterfeit shilling—I was aware, before I took it up, that it was counterfeit, as I knew the parties—I told him it was bad—he asked for it back—I refused to let him have it back—I went round the front of the bar, and detained

him, while my man went for a constable—when I got to the station-house I put a mark on the shilling—I gave it up to the inspector, who ordered the constable, Wheatley, to take it into his custody.

Prisoner. *Q.* You say before you took it up you knew it was bad, because you knew the parties—can you swear that I practised such things? *A.* I had you pointed out as a notorious character when I was in the police—I could have witnesses to prove it if necessary.

CHARLES JOHN WHEATLEY (*police-constable F* 124.) I took the prisoner into custody at Mr. Crask's house, and I took him to the station-house—I searched him, but found nothing on him but a good shilling—I got a shilling from Mr. Crask, which I produce.

MR. FIELD. I have examined the shilling and half-crown—they are both counterfeit.

Prisoner's Defence. I know nothing at all of the first piece of money—I am as innocent as yourselves—I offered the other piece, but did not know it was bad—when Mrs. Costin came to Bow-street, she said she could not swear to me.

GUILTY. Aged 21.—Transported for Seven Years.

Before Mr. Baron Parke.

722. WILLIAM MADDEN was indicted for feloniouslykilling and slaying James Wallis.

ROBERT MARTIN. I am a surgeon. I saw the deceased, James Wallis, before he died—he was quite insensible when I saw him—he was brought into my surgery—I could not discern any external mark, except a little blackness under the ear, and scratches on his cheek—he died on the 7th of February—I examined his body after death—it was not dissected at all—I could not decidedly ascertain the cause of death, but I believe it was caused by the rupture of a large vessel about the neck—it was most likely the carotid artery, but it was one of the large vessels—I observed traces of black under the left ear.

Cross-examined by MR. BALLANTINE. *Q.* When you examined him after death, had you heard the circumstances? *A.* I heard he had been knocked down—he was about nineteen or twenty years old, I should think—there was nothing about the appearance of the body at that time to lead me to suppose the vessel was ruptured, but afterwards there was—on the day following his death there was a great deal of extravasated blood about the upper part of the body, and decomposition had commenced—a very heavy blow under the ear might have caused it—I saw him within two minutes of the blow being given, and there was not time for much appearance.

Q. May a person have a tendency to the rupture of a vessel? *A.* There may be, but generally there are previous appearances of such a disease having existed—a blow of the kind given might at any time have such an effect, but a blow will not on all occasions produce death.

COURT. *Q.* Had you any reason to attribute his death to any thing but the blow under the ear? *A.* None—I did not bleed him—he was too far gone—he only breathed twice after coming into my surgery.

WILLIAM PAYNE. I knew the deceased—I was present at the time he had a fight with the prisoner—it was on Wednesday, the 7th of February—I saw him come up to the prisoner, and the prisoner went up to him, and struck him three or four times—he had given him no provoca-

tion—it was in the street, at the top of Britannia-row—I saw where he struck him—it was under the left ear—he struck him three or four times—they were hard blows—the deceased said, "Come into the fields, and I will fight"—that was all he said—he fell down, and I and another boy picked him up.

Q. Did the deceased strike the prisoner at all? *A.* No—I and another picked him up, and put him on Mr. Holt's, the baker's, step—Mrs. Holt brought out some water and sprinkled his face, but it did not revive him—Hawes and Charles Payne took him over to Mr. Martin's—I afterwards saw him brought out of the surgery, and he appeared to be dead then.

Cross-examined. *Q.* Did he strike him more than once under the left ear? *A.* Yes, three or four hard blows—it was after the first blow that he said, "Come into the fields and I will fight you"—he said nothing after he had received all the blows, but fell.

COURT. *Q.* Did you know of any quarrel between them before? *A.* No—they were both sober—it was about five o'clock in the evening, getting towards dark.

HENRY HAWES. The deceased was at my house in the afternoon—a few weeks before this happened there had been a quarrel, and he went to take the prisoner's brother's part—he was sober when he left my company on the evening in question—I saw the prisoner strike the deceased two or three hard blows about the neck—he fell back into the road—I instantly went up and assisted in taking off the deceased's handkerchief, and then took him to the doctor's—he never spoke after that—I thought he was stooping down to pick up his hat when he fell.

(The prisoner received a good character.)

GUILTY. Aged 19.—Confined Six Months.

First Jury, before Mr. Common Sergeant.

723. LAWRENCE OPPERMAN the elder, and LAWRENCE OPPERMAN the younger, were indicted for stealing, on the 8th of February, 1 purse, value 2*d.*; 1 piece of foreign silver coin, called a half-franc, value 5*d.*; 5 sovereigns, and 10 half-sovereigns; the goods and monies of Daniel Morris, in his dwelling-house.

DANIEL MORRIS. I live at No. 113, York-street, Cumberland-road, and am a colourman. I was threatened with an execution, in consequence of which I got my landlord to put a distress into my house on the 7th of February—my wife might have 5*s.* or 10*s.*—I knew of no other money being in the house—she attends to the business in my absence—I do not do much business—my wife always gave me an account of the money she received for things sold—I never found a deficiency in her accounts—she has no other means of having money—she has no property of her own.

Cross-examined by MR. DOANE. *Q.* You were in pecuniary difficulties at the time? *A.* Yes—I was threatened with many actions for debts contracted when I was in business with my brother—I was very much pinched for money—it was in consequence of that I induced my landlord to put in a distress for rent—I gave my wife orders to pawn our wearing apparel at Christmas, and she did so.

JANE MORRIS. I am the prosecutor's wife. On the 7th of February we had a distress in the house—the two prisoners came into possession—

the father first, and the son afterwards—when the father came he gave the warrant up to one of my young men to hold till he sent in a man—shortly after, his son came, and it was given into his hands, and the workmen went to dinner—I said to the younger prisoner, I should have been very happy if he had come sooner, as I was in expectation of the sheriff's officers coming—he said, "Indeed, I am very much in the habit of being where they are"—I asked what they would do when they first came—he said they would search my person, and take whatever I had, even my wedding-ring, and I had better secure what I had—I went up stairs, and took from a little jar five sovereigns, ten half-sovereigns, half a franc, and some duplicates.

Q. How came you to have this property up stairs? *A.* I had deprived myself at times of the common comforts of life, and in my confinement actually went without common necessaries—having an infant family, five under nine years of age, I was always under the necessity of being very careful—my husband allowed me a stipulated sum for the house, and whatever I saved, by going to market from one end of town to the other, I considered was my own.

Q. Did you pawn your husband's clothes, having 5*l.* up stairs? *A.* Yes—he did not know I had the money—when I came down stairs with the money in my pocket, I took from the counter a knife, proceeded down into the cellar, and dug a hole between two posts, and buried the money in the cellar—I remained there six or seven minutes, and on rising from the ground I heard footsteps over my head, and on coming up I saw the younger prisoner come to the end of the counter, handling some money—I said, "Don't interfere with that, or you will injure the work"—I went up stairs—between six and seven o'clock his father brought his great coat—they retired to the back shop, and had some conversation—I disturbed them on going in, and asked them to come up stairs to see my husband—they remained about the room till nearly eight o'clock—the father wished the son to go home—I wished him to stay, and said I would find him accommodation—he would go, and left the warrant in the hands of one of my men—at twelve o'clock I went up stairs, and said to a workman, "Henry, you had better not work longer, it is late"—he came down stairs before me—I let him out, and locked the door after him—I went down into the cellar, and disturbed the mould again, and took 18*d.* out of the purse which was buried, for the next day's expenses—it was all right then—I buried it as before, and went up stairs to bed—between six and seven o'clock, Henry Florio, our journeyman, came, and I gave him the inventory and warrant—he continued there till twenty minutes after eight o'clock, when a knock came to the door, and I went down with him—I let in another journeyman, and went up stairs again, and Henry Florio before me—shortly after, I heard another knock at the door, I came down and saw the younger prisoner in the shop, and saw the elder prisoner come up from the step ladder of the cellar into the shop, buttoning his coat, and seeming very much confused and agitated—I said I felt greatly alarmed in consequence of his taking his son away last night, and I had kept the workman till twelve o'clock—he said then to him, "On no account do you leave this place to-day"—I said any thing he wanted I would bring him—he said, "What victuals he wants you must find him, or give him 1*s.* a day"—I said I considered it quite extortion—he went through the shop, returned, and said he had dropped his glove in the cellar—he went down, went out, returned in a few minutes, and went down into the cellar—his son went down after him—I

went, and could see the elder prisoner standing over the hole with his arm down where the money was—the younger prisoner was by the side of him, crumpling writing paper in his hand—I stood back at our counter—the father went through the shop and said nothing—the son came up and seemed confused, and said what a d——d old fool his father was—he had lost half a sovereign in the cellar, and he had been helping him to look for it—at that moment I had no suspicion—I thought the paper in his hand was the inventory, and he might be looking the goods over—shortly after, my husband came into the shop, and said he wanted some money, and must have some—I said I would give him a few shillings—I found the money was gone.

Cross-examined. *Q.* Was the property ever found? *A.* No.

JURY. *Q.* Were not your journeymen in the habit of going into the cellar? *A.* Yes; but they could not go down without my knowledge.

COURT. *Q.* How did the prisoners behave to you? *A.* Very civilly—they came in on a civil arrest at my husband's wish—the father went down without my knowledge—there was 18*d.* in silver in the purse.

MR. DOANE. *Q.* Have not you said you saw the prisoners come up from the ladder? *A.* Yes—that was after I missed the money—not before—there was 18*d.* in silver in the purse, besides the gold, and one half-franc—if I did not mention that at first I beg pardon.

NOT GUILTY.

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724. EDWARD SPENCER was indicted for stealing, on the 5th of February, at St. Pancras, 1 bag, value 2*d.*; 26 half-crowns, 126 shillings, 99 sixpences, and 26 fourpenny-pieces; the goods and monies of James Boroughs, in his dwelling-house.

JAMES BOROUGHS. I keep a baker's shop in Chichester-place, in the parish of St. Pancras. On Sunday afternoon, the 4th of February, I reckoned up the money in my till, and it rather exceeded 12*l.*—it was in a bag—it consisted of half-crowns, shillings, sixpences, and fourpenny-pieces—on the following morning, about eleven o'clock, I saw the bag safe in the till—about three or four o'clock in the afternoon, I was sitting by the fire in the parlour, when my niece gave me information of a man being in the shop at the till—I ran into the shop as quickly as I could, and saw the prisoner standing close to the side of the counter—I went up to him—I did not exactly know what he had done, and said, "Well, young man, what do you want?"—he said, "A penny-loaf"—my niece saw I did not understand what she had said to me, and she said, in his presence, "Why, uncle, the man has got your bag of money, I saw him take it out of the till"—I said, "You said a penny-loaf, did you; but what have you been about with the till?"—he said, "Nothing"—I said, "You should not do so, you know it is very wrong"—my niece came behind him and locked the door—when he found he could not get away, he took from his person the bag of silver and placed it on the counter, between me and himself and the till—he then tried to get out at the door, but I got round the counter and secured him—I told my wife to step out for a policeman, who came and took him into custody.

Cross-examined by MR. DOANE. *Q.* Have you any other Christian name but James? *A.* No, I have no partner—the prisoner produced the bag from his right hand, on the counter, between me and himself, when he found he could not get away—he had some chops in his other hand.

MARY ANN MEARS. I am the prosecutor's niece. I was sitting in the parlour at work on the day in question—I came into the shop, and saw the prisoner reach over the counter, put his hand into the till, and take the bag of money out—he then shut the till, and placed the bag between his body and the counter—I made my uncle sensible of it, and then shut the door and locked it—he held the money in his hand while he asked my uncle for a penny-loaf—when he found the door was fastened, he came to the counter, and placed the bag on the counter.

Cross-examined. *Q.* Where were you at first? *A.* At the end of the counter—he was between me and the door at first—I am quite sure I saw him take the bag out of the till—he was nearer to the door than I was—after he got the bag, I had to go by him to get to the door to lock it.

Prisoner. *Q.* Which hand did I reach across the counter with? *A.* Your right hand.

Prisoner. I am a cripple with my right arm, and was not able to reach across. *Witness.* I verily believe he took it with his right hand, and I am quite sure I saw him put down the bag—I was standing in the parlour at first—there is a short curtain to the window.

EDWARD PARKER. I am a policeman. I received the bag—it contained the money stated in the indictment.

(*Property produced and sworn to.*)

GUILTY.* Aged 19.—Transported for Seven Years.

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725. JAMES PONSFORD was indicted for stealing, on the 5th of December, 6 spoons, value 4*l.*, and 6 forks, value 4*l.*; the goods of William Charles Ross, in his dwelling-house.

WILLIAM ROSS. I live with my son, William Charles Ross, in Upper Charlotte-street, in the parish of St. Pancras. On Saturday, the 25th of January, the prisoner was pointed out to me, passing by my son's house—I went to him, and told him that my son had been robbed, and he was suspected of it—he said he was perfectly innocent—I said if he was, would he go with me, and clear himself at the station-house—he said he had no objection whatever, and went with me—I gave him in charge.

EDWARD PONSFORD. I am servant to Mr. Ross. On Monday, the 22nd of January, I counted over the plate, and missed three silver table-spoons, and six forks—I cannot say within a month when I had seen them safe—the prisoner is my brother, and used to visit at the house—I have often left him alone in the house when he came to visit me—(*looking at a fork*)—I cannot positively swear to this, I have often cleaned my master's plate—there is no crest on it—(*looking at two silver spoons and another silver fork*)—these all bear the maker's name, and the marks are similar to my master's.

Prisoner. *Q.* Used anybody else to visit at the house as well as me? *A.* Yes.

THOMAS SPENCE WALTER. I am a pawnbroker. I have produced a fork which was pawned by a man whom I believe to be the prisoner.

WILLIAM GALILEE SAVILLE.—I am a pawnbroker. I have produced a silver table-fork, and two silver dessert-spoons, which were pawned by a woman named Elizabeth Devanney—I did not know her previously—I have not weighed them—I believe them to be worth about 25*s.* or 30*s.*—

they were pawned on the 27th of December, 29th of December, and 4th of January.

JOHN POOLE. I am a pawnbroker. I produce a table-spoon, which was pawned on the 4th of January by the prisoner—it is worth about 16*s*. —I am certain of him.

ELIZABETH DEVANNEY. My mother bought the tickets of these spoons —I was present and saw her buy them of the prisoner—she bought one at a time.

Prisoner. I was employed by Mrs. Devanney to pawn the spoons, and her daughter sent me to do it—Mrs. Devanney has absconded since the last two hearings I have had.

THOMAS JAMES WOOD. I live with my mother, who is a pawnbroker, in High-street, St. Giles's. I produce three silver dessert-forks—one was pawned on the 26th of December for 5*s*. by the prisoner, in the name of James Stock, and one on the 13th of January for 5*s*. by the prisoner, in the name of John Stock, 5, Grafton-street.

Prisoner's Defence. I got them in the same manner as the others, by the girl's mother—about a week before Christmas I went to Mrs. Devanney's house in Monmouth-street, to sell a book, and while there a man came and offered a silver fork for sale, for 10*s*.—she bid him 7*s*.—he took the money, and went away—I went the following day to see if the book I sold her was gone, and she employed me to go to the pawnbroker with her daughter, saying if I would go, she would give me what the book sold for for my trouble—I went in three or four times at her request, and she paid me for my trouble.

EDWARD PONSFORD *re-examined*. I do not know Devanney—I never saw her at the house till after the plate was missing—I have been with my brother about ten years, and never knew him guilty of any thing of the kind before.

NOT GUILTY.

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726. JOHN COOPER was indicted for feloniously breaking and entering the dwelling-house of Elizabeth Matthews, and stealing therein 1 writing-desk, value 10*s*.; and 2 account-books, value 3*s*.; the goods of Thomas Garfield.

THOMAS GARFIELD. I live at No. 12, Bath-buildings, Baldwin-street. I lodge there—I do not rent the house—it belongs to Elizabeth Matthews, and is in the parish of St. Luke—I work up stairs, but have the use of the parlour to ask my customers into—the key is always in the door—it is for the use of the persons in the house—about a quarter after six o'clock I put the front shutters too—the window was shut and fastened—the parlour-door was open—I had a desk which I saw safe about half-past seven o'clock—I missed it at eight o'clock, when I was called down—it is worth 10*s*.

JAMES MATTHEWS. I am the son of Elizabeth Matthews, who keeps this house, No. 12, Bath-buildings. I came home about eight o'clock on the evening in question—when I knocked at the door I saw the shutter open—I went to shut it, and saw the window open—that was the window of the room Mr. Garfield had the use of—I knocked again directly, seeing the window open—my mother brought a light—I then went into Baldwin-street, and saw the prisoner, with the desk under his arm—I took it from him, and he ran away—I followed him—he ran up a street, and was stopped—

I do not know that I charged him with any thing—this is the desk I found on him—(*produced.*)

THOMAS GARFIELD *re-examined.* That is my desk.

WILLIAM PACKWOOD. I am a carman. On the evening in question, about eight o'clock, I was standing at my door, and heard a cry of "Stop thief"—I saw the prisoner running, and a witness pursuing him—I caught him, and conveyed him to the station-house—the witness had got the desk under his arm, following him with it.

Prisoner's Defence. I went up at the side of the buildings—the desk was tied in a handkerchief, underneath a lamp-post, and I picked it up.

GUILTY. Aged 17.—Confined One Year.

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727. JOHN RICE and JAMES WILCOX were indicted for feloniously breaking and entering the dwelling-house of Edward Smith, on the 7th of February, and stealing therein 6 tame pigeons, price 20*s.*; and bird-cages, value 5*s.*; his goods and property.

MARY SMITH. I am the mother of Edward Smith, and live with him, at No. 24, Worship-street; it is his dwelling-house, and in the parish of St. Leonard, Shoreditch. On Wednesday evening, the 7th of February, I shut and locked the shop-door, and the cellar-flap was fastened by a chain—I left the shop—I came into the shop several times after; and, about a quarter to nine o'clock, when I came in again, I found the street door open—the lock was undone, and somebody had unfastened the door, which had a spring-lock—I suppose they had got in from the cellar-flap, as it was found open afterwards—I found the door open, and the pigeons were gone—my son keeps a bird-shop—those birds which were taken were opposite the door—they must have opened the street-door, and given them out to somebody.

CHARLES ANDREWS. I live at No. 50, Brick-lane, Spitalfields. About ten o'clock, on the 7th of February, the prisoners came to my shop to sell two pigeons—I asked if they were their own—they said, "Yes"—I asked where they lived, they said, "At No. 14, Dorset-street, Spitalfields"—I asked what they wanted for them—they said, 2*s.*—I gave them 1*s.* 9*d.*—one of them asked the other whether his father would let him take the money—they went as far as the door, then came back, and said, "Oh yes, he will," and I bought them—they had two pigeons, but no cage with them.

Wilcox. We bought four pigeons and two cages.

Rice. He only gave us 18*d.*—we came out of the shop, and asked some boys outside—they said it was all right, and he gave us 18*d.* for them—the two boys outside belonged to them. *Witness.* Some boys ran away when I caught the prisoners.

WILLIAM PENN. I am a brassfounder, and live in Angel-alley, Bishopsgate-street. On the night of the 7th of February, between seven and eight o'clock, the prisoner Rice came and asked me to buy a bird in a cage—I bought it, and was to pay for it next night—he came next night, and said, "*Bill*, can you let me have the money?"—I said, "My father says I must not give you 1*s.*, I will give you 8*d.*"—he said, "Very well"—I gave him 6*d.*—next day Wilcox came to me, he said I had bought a bird of Rice, and I owed him 2*d.*, and I was to give it to him—I gave him ½*d.*—the bird is since dead—this is the cage—(*producing it.*)

WILLIAM OGER. I live in Newman's-place, Bishopsgate. On Wednesday evening, the 7th of February, about nine o'clock, the prisoners came to me, and told me they had got six pigeons, three cages, and two birds—they said they had broken a chain, and got down into the cellar, and got up into the shop, that Rice was on the grating, hitting his foot, to tell Wilcox to come out with the things, and that he brought them out, and gave Rice the pigeons—he ran into the road with them, as he would not walk on the pavement with Wilcox.

Q. How came they tell you this? *A.* I had been with them at first, when they could not break the chain.

Wilcox. We did not tell him any thing at all—he was not with us—a witness is here, named Mrs. Green, who heard us tell him we bought them. *Witness.* No—they came to Mrs. Green's house, and told me they had broken the chain, and Mrs. Green turned them out—I had been with them the night before, when they could not break the chain, and Wilcox bought 1*d.* box of lucifers, and then I left them—they told me they were going to a coffee-shop till it got late.

EDWARD SMITH. I know these pigeons, and the cage—they are all mine—(*looking at them.*)

Rice. He does not know that they are his—we did not know who they belonged to.

Wilcox's Defence. I and Rice were out spending some money—I was going home with him, it being holiday time—two boys were walking along—one had a pigeon in his hand—we asked what he was going to do with it—he said, to sell it—we asked him what he wanted for it—I did not like it much, and would not buy it—he said, "Will you sell them for us?"—I said, "What is the use of selling them for you?"—we took these two into the shop to sell them, as he said he would give us 3*d.*—we asked the witness 1*s.* 9*d*—he bid us 18*d.*—I came out and asked them if they would take it—they said, "Yes," and we took the money and gave it to them—we then bought the other two pigeons and bird-cages of him.

(The prisoners received good characters.)

RICE*—GUILTY. Aged 12.—Confined One Year, and twice whipped.

WILCOX—GUILTY. Aged 13.—Confined Three Months.

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728. JAMES WATSON was indicted for feloniously stealing, on the 19th of February, 1 gelding, price 8*l.*, the property of James Gilbert.

JAMES GILBERT. I live at Heston. On Monday morning, the 19th of February, I turned my horse into the orchard adjoining my premises, a little before nine o'clock, and a little after ten o'clock I missed it—I traced it to Notting-hill, and saw it in the stable of the Coach and Horses there.

Cross-examined by MR. DOANE. *Q.* Can you tell whether the prisoner's father ever had the horse? *A.* It had been his father's horse—I had had it about six years—the prisoner is my son-in-law—I did not buy the horse at all—I married the prisoner's mother, and the horse belonged to her former husband.

COURT. *Q.* Did the prisoner ever lay claim to it as his? *A.* When he has been at work with the horse I have upbraided him for beating it, and he always used to say, "It is as much my horse as it is yours," as if he considered it as much his own as mine—the Magistrate bound me over, or I should not have prosecuted.

JOHN BALDWIN. I live at Heston. About ten o'clock I met the prisoner with this horse—I asked what he was going to do with it—he said he was going to walk it out for half an hour, to do it good, as it had been unwell for two or three days.

CHARLES THOMAS. I am a horse-dealer, and live in Praed-street, Paddington. On Monday morning, at ten o'clock, I met the prisoner, leading the horse—I asked him if it was for sale—he said, "Yes"—I asked him the price—he said 8*l.*—I said it was too much, and bid him 3*l.* for it—he would not take it—we went to a public-house, and he said he would let me have it for 3*l.*—I said if he would come to the Coach and Horses I would pay him for it—I asked who it belonged to—he said, "To a man at Southall"—I put it into the stable, and the policeman came and found it there.

JACOB NICHOLLS. I am a constable. I took the prisoner into custody, but he made his escape.

ISAAC BALLARD. I am a policeman. I apprehended the prisoner in New Brentford, on the 19th of January—I asked him if his name was Watson—he denied it—I took him to the station-house, as he answered the description I had had.

JAMES GILBERT *re-examined.* I have known the prisoner six or seven years—he has been a very hard-working boy, and I had a very good opinion of him.

NOT GUILTY.

NEW COURT.—*Thursday, March 1st,* 1838.

Fifth Jury, before Mr. Recorder.

729. CHRISTOPHER HATLEY was indicted for stealing, on the 31st of January, 3 window sashes, value 40*s.*, the goods of Elizabeth Mary Gossett, belonging to a certain building; to which he pleaded

GUILTY. Aged 30.—Confined Twelve Months.

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730. ANN JONES was indicted for stealing, on the 14th of February, 1 cloak, value 5*l.*, the goods of Charles Cook; to which she pleaded

GUILTY. Aged 65.—Confined Eighteen Months.

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731. JOHN WILLIAMS was indicted for stealing, on the 8th of February, 3 pewter pots, value 3*s.*, the goods of Charles Eatwell.

ELIZABETH BELL. I was servant to Charles Eatwell; he lives at No. 12, St. John's-square, Clerkenwell, and keeps the Albermarle Head. On the 8th of February I was in the tap-room, about one o'clock, and saw the prisoner take a pint pot off the shelf in the passage, and take it out of the house—I told the pot-man what I had seen, and sent him after him.

JOHN PARCELL. I am pot-man to Mr. Eatwell. On the 8th of February, Elizabeth Bell gave me information—I followed the prisoner, and took him in St. John-street—I found one pint pot under his arm—that was Mr. Eatwell's—he had got it in a bag.

CHARLES EATWELL. I detained the prisoner when Parcell brought him back—I kept one pot while they went for a policeman—the prisoner was taken to the station-house—the pot was mine—I saw the prisoner searched, and two other pots of mine were found on him—these are the three pots—(*looking at them*)—they are worth 3*s*.

JOHN COOKE (*police-constable G* 189.) I was in St. John-street, on the 8th, the prosecutor sent for me and gave the prisoner in charge—I took him to the station-house, and found on him two pint pots, which are here, inside his small-clothes.

Prisoner's Defence. I have been laid up under the doctor's hand, and it was poverty brought me to do what I have done—I have no parents.

GUILTY.* Aged 18.—Confined Six Months.

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732. WILLIAM RAIKER was indicted for stealing, on the 29th of January, 1 coat, value 2*l*. 2*s*., the goods of Henry Andrews, his master; and JOHN WINSBY, for feloniously receiving the same, well-knowing it to have been stolen; against the Statute, &c.—2nd COUNT, for feloniously receiving the same of an evil disposed person.

HENRY ANDREWS. I live at No. 18, Foley-place, and am a mechanic. I lost a great coat on Monday evening, the 29th of January, from the passage of the house—the prisoner Raiker is errand-boy to my wife, who is a milliner—he had been with me between three and four months—he did not leave me till the following Monday—I had not discharged him, as I did not suspect him—after that he came to my house with his father—the other prisoner was not with them at first—they went and fetched him, and Winsby said he had received the coat at the door of my house from Raiker—Raiker was there, and his father, and the officer, and they brought with them the man who bought the coat of him—his name is Carpenter.

Cross-examined by MR. PRENDERGAST. *Q*. The statement was, that Winsby was at your door and took the coat? *A*. Yes, that was said by Winsby and Raiker too.

Cross-examined by MR. THOMAS. *Q*. I believe Raiker's father came to you before you found out who took the coat? *A*. Yes; I believe he was the means of its being found out—I did not urge the father to find out the thief—he came to me on the Monday, and accused me of charging his boy, but I did not accuse him as I had not suspected him—the father got rather milder, and then asked what sort of a coat it was, and then he said he did believe his boy knew something of it, as he had told him a very great story—I did not tell him if he would get the boy to confess I would not prosecute him, nor any nothing of the kind—he did not tell me he had traced the coat—the officer went with him to fetch Winsby and Carpenter—I did not know Winsby's name—I did not send for Raiker to identify Winsby—the officer came—Mrs. Andrews sent him into the room, and they went to fetch Winsby—I walked with them to the passage—I was at home when the prisoners and the father came—I had seen Mr. Raiker in an earlier part of the morning, when he came to say I had accused his boy, which I had not—till he brought his boy in the evening, I did not know where the coat was, nor who took it—when they were both in the parlour, Winsby said he took the coat of Raiker at my door, and sold it to Carpenter for 18*s*.—Raiker was there then, and then we went to the

station-house—I was at home when the policeman came—Mr. Raiker came first with his boy, and just at the juncture of time the officer called, as I had spoken to him—Raiker then told me that Winsby had had the coat—Raiker said, before they went to fetch Winsby, that he would tell them where the other boy was, if he could find him.

THOMAS CARTER (*police-constable E* 78.) I went with Raiker to fetch Winsby—we took another boy first—Raiker said he was not the boy—he went with us, and we found Winsby—Winsby said, "I know what you want me for; don't collar me, I will go quietly"—we took him to the station-house—he said he had been to sea, and he dare say he should go again; he dare say he should be transported—I saw Mr. Andrews before I went and found Winsby—Raiker said, when we were all together in the house, that he had taken the coat, and given it to Winsby at the door, and Winsby said the same.

Cross-examined by MR. THOMAS. *Q.* What time in the evening did you go to Andrews? *A.* At half-past six o'clock—I had no one with me then—Mr. Andrews came in while I was there, and then Raiker's father came—Andrews asked Raiker about it—he said his son had told him the coat was taken by him, and that he gave it to Winsby at the door—I do not recollect hearing Mr. Andrews say he would not hurt the boy—I cannot swear it was not said—the father, and I, and Raiker went and took Winsby in half an hour—we found him in the street.

HENRY CARPENTER. I bought this coat of Winsby for 18*s.*—I kept it from Monday till Wednesday, and sold it to Robert Jackson.

ROBERT JACKSON. I bought this coat of Carpenter—I gave him 1*l.* 7*s.* at his request—he asked me that, and I gave it him—he prevailed on me to have it because he had laid out some money which he had had of my fellow-servant, and I bought it of him.

JOHN EVANS. I live at Old Conduit Dairy, Bayswater, and am a milkman. I bought this coat of Jackson, with another coat, for 2*l.* 1*s.*—I had a drab coat with it.

MR. THOMAS *called the following witnesses on behalf of the prisoner Raiker:*—

—— RAIKER. I am the prisoner's mother. I recollect this transaction about the coat perfectly well—I did not see Mr. Andrews—I saw a gentleman who had been to Mr. Andrews, who said that he would not hurt a hair of the boy's head—he is not here—it was Mr. Buck, the prisoner's former master.

THOMAS RAIKER. I am the prisoner's father. I went with another person to Mr. Andrews, and when I told him of accusing the boy of stealing the coat, I understood he had the intention of giving him in charge, but after I told him that I was the boy's father, he said it never was his intention to give him in charge, not only on the boy's account, but of myself and family—I then asked him to give me a description of the coat, which he did, but that varied so much from the description my boy gave me a week before of his master losing a coat, that I told Mr. Andrews—he solemnly declared before me that if I would get it out of the boy whether he had or not taken it, he would do no more in it; he would not punish the boy, he would not hurt a hair of his head—in consequence of that, I went home and told Mr. Andrews to send the boy after me—I told my son my reasons for sending for him, and told him if he would confess to it I would never even mention the circumstance to him; that Mr. Andrews had said the same to me, if he would tell what he had done with it—he denied it to me—I went, and left

him with his mother, and he told her—when I came back, he said he had taken it off the peg in the passage, and handed it to Winsby at the door, that he had been out on an errand for his master or mistress, and had met the boy, Winsby, who asked him if there was any plate or any thing he could steal—he said no—he said, was there a coat or any thing? as he knew of a regular place where he could take it to; and then it was all arranged how he should take it—I am quite confident that Mr. Andrews made that promise to me—that was Monday—I returned in the evening, and told him my success in tracing the coat, from the boy's confession.

Mrs. Raiker *re-examined.* I have heard what my husband has said about the prisoner making the confession to me—he did make it to me.

Court *to* Henry Andrews. *Q.* Have you heard what Mr. Raiker has said? *A.* Yes—I assure you, if I were going to die this moment, I made no such promise—I saw him in the morning, but I had never accused his boy, nor supposed him dishonest—his father came with Mr. Buck—I called on Mr. Buck, to ask him if he knew any thing wrong about the boy, and he said no.

Mr. Thomas. *Q.* Had you seen Mr. Buck? *A.* Yes; but I did not accuse the boy—I did not suspect him—he was a very good boy, and nobody could have done better.

RAIKER—GUILTY. Aged 15.—*Recommended to mercy by the Jury and Prosecutor.*—Confined Seven days.

WINSBY—NOT GUILTY.

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733. ELIZA PATTISON was indicted for stealing, on the 17th of January, at St. Marylebone, 1 desk, value 1*l.* 10*s.*; 1 toothpick-case, value 10*l.*; 1 watch-chain, value 4*l.*; 2 seals, value 5*l.*; 1 watch-key, value 1*l.*; 3 rings, value 4*l.*; 1 pedometer, value 5*l.*; 4 spoons, value 2*l.*; 2 brooches, value 2*l.*; 1 nutmeg-grater, value 5*s.*; 1 mull, value 3*s.*; 1 knife, value 2*s.*; 1 sounding-staff, value 2*s.*; 1 stud, value 1*s.*; 1 printed book, value 6*d.*; 3 sovereigns, 1 £100 Bank note, and 7 £10 Bank notes; the goods, monies, and property of Charles Queade, in the dwelling-house of George Hayward Taylor: and DAVID MILLEN and PAMELA MILLEN for feloniously receiving the goods, monies, and property so as aforesaid feloniously stolen, well knowing them to have been stolen.—2nd Count, for a substantive felony.

Charles Queade. I have apartments at No. 54, Upper Norton-street, in the house of Mr. Taylor—he keeps the house—it is in the parish of St. Marylebone—I occupy the second floor in his house. On the 17th of last January I lost a writing-desk—it contained a large square fine gold toothpick-case, a fine gold watch-chain, a fine large gold seal, a large topaz, a fine gold seal with white cornelian, a fine gold embossed key, one embossed plain gold ring, plain inside, but embossed outside, one fine gold onyx hoop mourning ring, one fine gold mourning ring, one silver pedometer for measuring distances, two large silver table spoons, two silver tea-spoons, two fine gold mourning brooches, one silver nutmeg-grater, and 170*l.* in Bank of England notes—there was one £100 and seven £10 notes, and it contained some foreign bonds—I received a parcel on the 26th, by the General Conveyance Company, directed to me—it contained all the memoranda and the papers I had in the writing-desk, and all the foreign bonds—I did not get back my notes or jewellery by that parcel—

the notes were in a secret drawer in the desk—the desk was pawned, and the notes were found by the pawnbroker in the secret drawer—I understood from the police officer the desk was in the possession of a pawnbroker in High-street, Bloomsbury—I saw it at the police-office—the prisoner Pattison had been Mr. Taylor's cook—I think I had only seen her twice.

Cross-examined by MR. PAYNE. *Q.* What are you? *A.* A surgeon—Mr. Taylor has told me that his name is George Hayward Taylor.

GEORGE HAYWARD TAYLOR. I was never christened, I was registered at a Baptist chapel by the name of George Taylor; but after I was fourteen I took the name of George Hayward Taylor—I have been known by that name—I always write that name, and have been addressed by that name—I have never been known by any name but that since that time.

THOMAS JAMES WOOD. I live with my mother, Eleanor Wood, at No. 65, High-street, Bloomsbury, she is a pawnbroker. On the morning of Tuesday, the 30th of January, I saw the prisoner, Pamela Millen, in our shop—she came to pledge a desk—I have got it here, this is it—(*producing it*)—she asked me ten shillings on it—I lent her the ten shillings—while she was there I opened one of the secret drawers, and in that was four farthings and one foreign coin—I closed it up, and after she was gone I was going to put the cloth on it and send it to our warehouse, when I opened the other drawer, and found a note in it—I only saw one note, which laid on the top—I took it into the parlour, and there opened it in the presence of Mr. Boyd, and he took a list of the articles—I found a silver nutmeg-grater, two brooches, four teeth, and a pill—nothing else but the notes—these are the articles—(*producing them.*)

Cross-examined. *Q.* Did you know Pamela? *A.* Yes, for the last two months—I asked if she brought it for herself, as the initials on it did not correspond with her name, which I knew as Harriet Millen—she said her sister had bought it second-hand—she had 10*s.* on it in the name of Harriet Millen, the name I have always known her by—she came the next day to pawn something, and then I went to the station-house—I asked if she had pledged the desk—she said she had.

JOSEPH BOYD. I was present when the desk was opened—I made a list of the contents of it, on the 30th of January, about eleven o'clock in the morning—there was a £100 note, seven £10 notes, a silver nutmeg-grater, two brooches, four teeth, and a pill—on one of the notes was the name of Cox and Co.—I went to the Bank, and traced the notes to Dr. Queade.

GEORGE COLLIER (*police-constable E* 38.) I went with the prisoner, Pamela Millen, and Mr. Taylor, to No. 25, Compton-street, Soho, on Wednesday, the 31st of January—she went up stairs, to the back room first floor, and said it was her lodgings—she opened the door, and went in—I followed her, and David Millen was sitting by the fire in the room—I told him I had come respecting the desk—(I had found Pamela at the station, where she was brought from the pawnbroker's)—David Millen said he suspected the desk was wrong, but he had not seen any of the property, and he knew nothing about it—I searched the drawers belonging to a chest in the room where he was, and found the duplicate of a writing-desk, pledged for 10*s.*, and two other duplicates—in the drawer were different trifling things of men's and women's wearing apparel, stockings, and some trifling articles—I found in the drawer this ink-bottle, this shirt-stud,

s, and 5s. 6d., which Pamela said was part of the money
pledged the desk for; and a sounding instrument—Pamela
all that she had—I looked over the drawers more minutely,
ook—I took it up, and suspected it was Dr. Queade's—
s book belongs to Dr. Queade"—she said, "Oh dear, I did
as there, I forgot it"—it is a list of the members of the Reform
l information of such a book from the doctor, which made me
then said I should make a minute search—the prisoner David
. into his right-hand waistcoat-pocket, and gave me this
n handed me this mull—I cannot say where he took it from
nd this knife, which they said the desk was broken open with
did not know the property had been stolen—he said he re-
ife and mull from Pattison, and that he was innocent of the
eiving it—nothing further passed there—we went to the sta-
nd when all three prisoners were there, Pattison said she was
what she had done; she had stolen the desk, but they knew
—I pulled out this knife, which I found in the room, and Pat-
t was the knife she had broken the desk open with in Millen's
nd it in a drawer, with some other knives, in the room—I had
sly to Pattison's lodgings, and there was a ring on the mantel-
appeared to me to be a gold ring—that was at No. 12, Duke-
nsbury—I had spoken to Pattison on several occasions—she
owledge of the robbery at that time—I had spoken to her the
robbery—I told her about the notes and bonds, and every
not describe where the notes were kept.

I never saw him but on the day after the robbery, when he
Taylor's—he did not tell me what was lost—Mr. Taylor told
contents of it—he said it contained some American bonds.

mined. *Q.* Who was it said, at the station-house, that that was
h which the desk was opened? *A.* Pattison—they all three
—I was not asked that before the Magistrate—I stated more
en down—Pamela and her husband said it at the room, and
l it at the station-house, but she was there for hours before I
is is my name to this deposition—(*looking at his deposition*)
d over to me.

sition being read, omitted to state, that when the witness found
Millen's lodging, he said, "This belongs to Dr. Queade," and
Millen replied, "Oh dear, I forgot it," or that David and
llen had said, when the knife was found, that it was the knife
he desk was broken open.)

ou mean to tell me, you told the Magistrate that when you
ok you said, "This belongs to Dr. Queade," and she said, "Oh
orgot it?" *A.* Yes, I do, sir.

Q. How came you to take this knife? *A.* Because the pri-
that was the knife the desk was broken open with—David and
l so, and that she broke the point in opening it.

ne. *Q.* Did you tell the Magistrate so? *A.* No, I did not
was not asked—there were other knives there—I produced the
—I said that at the station-house the prisoner Pattison said that
fe the desk was broken open with—I stated that she said so—
ny the others did not say so—I do not believe I said a word
la having said that that was the knife with which t'

desk was broken open—I did not give it a thought, or I should have done it.

JOHN CRISPIN RAWLEY. I am one of the Inspectors of the Metropolitan Police force. On the 31st of January I took Pattison into custody—about 1*l.* 1*s.* 6*d.* was found on her, but nothing relating to this robbery—she said the desk had been given to her by Mrs. Brown, residing in Park-street, Oxford-street, to take care of—I wrote down the address she gave and was about to leave to go to make inquiry of her, when Pattison said, "You have no occasion to go, no one knows any thing about it but myself."

Cross-examined. *Q.* Are you quite sure you are correct about what she said? *A.* Yes—I believe she afterwards added, "what I told you was a lie."

GEORGE HAYWARD TAYLOR *re-examined.* I accompanied the witness Collier to the house in Compton-street—the prisoner, David Millen, was sitting by the fire, with the child—Collier stated what he came for—David Millen said, "Ah, it has come to this, has it?"—Collier went immediately to the window, and while his attention was drawn to the window, David Millen said to me, "I suspected there was something wrong about this desk"—on a couple of nails over the fire-place was this sounding instrument—Collier turned round and made use of some expression—I turned immediately to the window, and Collier then had got the drawer open—he then took out this knife, and both David and Pamela Millen said, "That is the knife the desk was broken open with"—the drawer was then taken out and put on the table—the small book was produced, and on opening it there was the word "Reform," and Collier said, "This is Mr. Queade's property"—Pamela Millen said she did not know or did not recollectit—I cannot say which—Collier then said, "I shall now make a stricter search"—David Millen then took this knife out of his right-hand pocket, and, to the best of my belief, the mull out of his left, on which was written Dr. Queade's name.

HARRIET MARTIN. I am single. I was in the service of Mr. Taylor—he turned me away yesterday morning—while I was sitting at breakfast he came and asked me to let him look at my subpœna, and he told me to leave his premises in half an hour, and take my things, or he would throw them into the street—I asked him where I was to take them to, as I was to be here at twelve o'clock, and that was half-past eight o'clock—I received the subpœna at Bow-street, on Friday week—he knew I had got it—he looked at it at Bow-street—I had been in his service one year and nine months—the prisoner Pattison lived as cook in the same service—I was housemaid—Pattison left on the 26th of December—I saw the writing-desk at seven o'clock in the evening of the 17th of January, the day it was lost, in Mr. Queade's sitting-room—Pattison had not been to visit me on the 17th—I was not aware of her being in the house between the 17th and 30th—I was out in the evening of the 17th, and while I was out the desk was gone—the cook is not here—I had leave to go out on the 17th, and I went about a quarter past seven o'clock, and returned at a quarter past ten o'clock—it was on a Wednesday—the last cook left last Friday—Mr. Taylor had her taken to prison.

Pattison. *Q.* Did they say they found the house open or shut after the desk was stolen? *A.* At seven o'clock the ladies'-maid and her mistress went out the back-way, and the doors were all left open after them—I heard them say the doors were unfastened.

Cross-examined. Q. Who had you lived with before? *A.* Mrs. Greville, of Carburton-street—Mr. Taylor gave no other reason for turning me away, but the subpœna—that was all he said—on the 6th of February my mistress and I had a few words, and on the Tuesday she asked me if I wished to leave—I said I did not wish to go home till the end of the month, and on the 20th of February Mr. Taylor came and told me and the cook to leave his premises; on that day month, and when he saw my subpœna yesterday morning he told me to go in half an hour, and take my things, or he would throw them into the street.

Mr. Payne *to* George Hayward Taylor. Q. What charge have you to bring against this young woman? *A.* I would not believe her on her oath—she was ready to swear that my wife put her name on a note which is at the Bank of England, and that she saw my wife put Dr. Queade's name on it—I told her to take her things in half an hour—she said, "Where am I to take my things, as I have got to attend the Court?"—Pattison wrote letters for this woman to a man she stated to be her husband, to come and take things—the witness said she did. *Witness.* I did not.

Court. Q. What has that name to do with these notes? *A.* Mr. Queade made a list of the notes which he supposed were in the desk—some time in December my wife changed a £10 note, and that note was paid in to the bank, and the witness said that was the note that Mrs. Taylor changed, and that she wrote her name and Dr. Queade's name on it, and the note is now in the bank without Dr. Queade's name on—since this we have heard that he has gone out after we have been in bed, and been with men in the stable yard—she has acknowledged it.

Harriet Martin. No, I have not—it is false.

George Hayward Taylor. The police-officer desired me to keep the servants, or I should have turned her away before.

Harriet Martin *re-examined.* I never told him any thing about going to the stable at all—it is not only me that he has turned away without notice—he gave me a month's notice to leave him, and then yesterday he turned me out at a moment's notice—he is a painter.

William Robert Maynard. I am shopman to Maria Newman, a pawnbroker in Drury-lane. I produce a gold seal, pawned on the 29th of January, for 10*s.* by the prisoner Pamela Millen, I believe—I am not certain.

Cross-examined. Q. You have a great many persons come there? *A.* Yes, a great many.

Pattison. Q. Can you tell me who was in your shop? *A.* No, I cannot—the person came into the shop—I did not send her into a box—I do not remember arguing with two drunken men.

Pattison. I pledged the seal—I went into the shop, and he sent me to the box, and while I was there, his attention was drawn to two men who were drunk.

Charles Queade *re-examined.* This is my property—(*looking at it*)—I have recovered none of the plate—it was inside the desk, just as you open it—this seal (*looking at one*) was on a gold chain—the chain I have not got, nor a gold key and another seal—they are gone—this sounder (*looking at it*) was in the desk, and this knife and mull—I had the key of the desk in my pocket—it has now a new lock and key—there is the mark on the desk of it being forced open—this knife (*looking at the one found by the officer*) is not unlikely to have opened it.

Cross-examined. Q. The desk had been found before that knife was found? *A.* Yes, it was—I lodged in Mr. Taylor's house—I never saw a blemish in the character of Harriet Martin—I forgot to state there were three sovereigns in the desk, which I lost also.

Pattison's Defence. I left Mr. Taylor's very ill, he desired me to leave—I was obliged to leave at a day's notice—I went to Mr. Harvey's, the baker, the night the desk was taken, and asked for a Christmas-box, which caused me to go by the house, and I thought I would call and see my fellow-servant—I found the door open—I went in, and thinking she was up stairs, turning down the beds, I went up, and seeing the desk, it tempted me to take it, as I was very much distressed—I had but one sovereign and 2*s.* when I left, and the sovereign was due to the nurse for my child—I had only 2*s.* for myself—I went after situations, but looking delicate, I could not get them—it is my first crime—Mr. Taylor will state he lost nothing while I was in his house.

GEORGE HAYWARD TAYLOR *re-examined.* I am not aware that we did, and we had an excellent character with her—we discharged her for no fault, but, since that, we have found conduct on the part of Harriet, and we ought to have discharged her long ago.

Pattison. I did not state to my sister in what manner I took the desk—I deceived her when I took it to her—I went to her house, and rang the bell—she came down and said what had I got there—I said a person owed me some money, and had lent me the desk till she could pay me—I said it was Mrs. Brown's—she said I could leave it there, and I left it there for a week, and then she asked me when I was going to take it away—I said, "In a day or two"—when I broke open the desk she was not present, nor her husband—I asked her to go out and get a sheet of brown paper, and a bit of string, and I opened the desk and took out the papers—my sister said, when she came back, "What is all this paper?"—I said, "The person has lost the key and wants the papers"—I packed them up, and took the parcel to the "Parcel Delivery Company"—I took the back of a letter out for a direction—my sister was not present—when I tied the papers up I left the desk, and several days after, she said, could I lend her some money—I said I could not, but I said, "You may pledge the desk," and she took it to pledge—she was completely deceived and innocent—I took the knife and things out of the desk—I laid them down, and told her to take care of them, because the person might want the things—it is me and me only that has done it—my sister is perfectly innocent, and her husband too.

PATTISON—GUILTY. Aged 27.—Confined Eighteen Months.

DAVID MILLEN }
PAMELA MILLEN } NOT GUILTY.

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734. JEREMIAH BALDRY was indicted for stealing, on the 11th of February, 1 truss of hay, value 2*s.*, the goods of Edward Harman; to which he pleaded

GUILTY. Aged 22.—*Recommended to mercy by the Prosecutor.*
Confined One Month.

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735. CHARLES WOODFIELD was indicted for stealing, on the 26th of January, 1 cloak, value 2*l.* 10*s.*; and 1 handkerchief, value 2*s.*; the goods of David Goodere.

DAVID GOODERE. I live at No. 17, Upper Copenhagen-street, Islington. On the 26th of January I hired a *cab* in Castle-street, Strand—it stopped in Picket-street—I went to the Black Horse and took a glass of stout—I then came and asked the driver to allow me to drive—he said he would—I went on the box, with my cloak on—it was rather heavy—I got down, and James Sermon, the driver, got down, and I put my cloak into the *cab*—I drove up to the Angel Inn, and asked the driver what his fare was—he said, "1*s.* 6*d.*"—I then looked, and my cloak was gone—I gave him in charge, and gave information to the policeman, who traced out the party, and Sermon was discharged.

Cross-examined by MR. DOANE. *Q.* What time of the day was this? *A.* Between three and four o'clock in the morning—I was perfectly sober—I am an articled clerk to an attorney—this was a brown cloth cloak—I charged the prisoner with being concerned with the driver.

JAMES SERMON. I live in the Brixton-road. I was the driver of this *cab*—about three o'clock in the morning of the 26th of January I was in Castle-street, and the prosecutor hired my *cab*—I stopped in Picket-street, and the prosecutor asked me to let him drive—he put his cloak into the *cab*—the door is behind the *cab*—I think there were one or two men about the door of the *cab*, at the public-house—the prosecutor slipped in getting down—I missed the cloak at the Angel—I was taken up and discharged—I was not complained of as allowing another person to drive my *cab*.

JOHN CANFIELD. I live at No. 28, Albion Livery-stables, Chester-street, Kennington. On the 26th of January I was asleep in my *cab*, at Temple-bar, and something was thrown on me—when I awoke I found it was a cloak—the prisoner took it and went to drive off, but another *cab*-man brought him back—I took the horse and brought him to the rank—in the meantime, the prisoner took the cloak off, and went away with it—I asked him what that was in the *cab*—he said, "Nothing"—he had been in my master's service but was discharged—I had had some *hot* with him, at a public-house—I saw nothing more of the cloak after it was taken out.

Cross-examined. *Q.* Were you not with the prisoner when you got out? *A.* Yes—he got off the *cab*—he took the cloak out—he had been with me all night—he went away for about three-quarters of an hour, and then came and stopped with me till half-past six o'clock—I was asleep at the time, but I thought it was a cloak.

GEORGE RIVERS. I live in Compton-street, and drive the *cab* No. 251. On the 26th of January I saw the prosecutor put his cloak into Sermon's *cab*—I was standing by my horse's head, in the rank, and saw the prisoner standing by Sermon's *cab*—when the *cab* drove on, I saw the prisoner and another run after it, and take the cloak out—the prisoner came back with it under his arm, and *hove* it into Canfield's *cab*—the prisoner first got on the step, and tried to get it out of the window—the other said, "You fool, open the door," and he did so—the prisoner was with Canfield—when the prisoner got the cloak, he jumped up, drove a little way, and the other brought him back, and they went off with the cloak—Canfield was in the *cab*.

Cross-examined. *Q.* You saw him drive away—what was it? *A.* Canfield was out with a four-wheeled go-cart, and the prisoner was driving what they call *buck*—Sermon's *cab* drove to the pavement—they brought the prosecutor there to Picket-street—I could see distinctly by the gas-light

when I saw the cloak taken out—I was sure it was a cloak—the prisoner took it out of Canfield's *cab*, and he and the other went away with it.

COURT. *Q.* You saw the prosecutor throw it into the *cab*? *A.* Yes, and then the prisoner ran and tried to get it out of the window—then he opened the door and took it out, and lastly the prisoner and another went to a public-house with it.

WILLIAM HAMMINGHAM (*police-constable L* 175.) I apprehended the prisoner, and told him the charge—he said he knew nothing whatever of it, and was not on the rank that night—I took Canfield into custody—he told me of the prisoner.

(The prisoner received a good character.)

GUILTY. Aged 20.—Confined Twelve Months.

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736. MARY ANN MIDDLETON was indicted for stealing, on the 22nd of December, 1 set of bed furniture, value 10*s.*; 1 blanket, value 6*s.*; 2 sheets, value 10*s.*; 1 bolster, value 6*s.*; 1 looking-glass and stand, value 2*s.*; 1 table-cover, value 2*s.*; 1 candlestick, value 1*s.*; 1 pillow, value 1*s.* 6*d.*; and 1 pair of bellows, value 1*s.* 6*d.*; the goods of John Kent.

JOHN KENT. I live in Bowling Green-lane, Clerkenwell. The prisoner was a lodger in a furnished room in my house—she came sometime in December—in consequence of suspecting that my property was missing I took her into custody one Sunday morning, and the duplicates, the key of the street door, the key of the room door, and a small knife, were found on her—I missed a blanket, a looking-glass, table cover, sheets, and other things—there was from ten to twelve pounds of feathers taken out of the bed—I had observed the bed before she came, and she acknowledged to taking them out—she paid a fortnight of the rent, the rest is owing—these articles that I missed were in the room, and let to her as part of the furniture.

WILLIAM HARVEY (*police-constable G* 83.) I live in Greville-street. I took the prisoner, and found these duplicates on her—she said she had certainly pawned some of the prosecutor's things.

WILLIAM ROBERTS. I am in the employ of Mr. Cordwell, a pawnbroker, who lives at No. 31, Exmouth-street. I produce a table-cover, a blanket, a swing-glass, a pillow, and bolster—the duplicates found by the officer are the duplicates of the things—I have the counterparts—they were pawned on different days, from the 28th of December to the 3rd of February.

JOHN KENT *re-examined.* This is my property—(*looking at it.*)

WILLIAM GARDENER. I am in the service of Mr. Fleming, a pawnbroker, in Farringdon-street. I produce two sheets and one single sheet—the prisoner pawned the single sheet—this is the duplicate of it—it corresponds with one which was found on her by the officer.

WILLIAM HENRY KELL. I am a pawnbroker. I have a candlestick, a pair of bellows, and bed furniture, pawned from the 22nd of December to the 4th of February, by the prisoner.

JOHN KENT *re-examined.* These are my things—(*looking at them.*)

Prisoner. I was very much distressed—I meant to have replaced them—I took them to pay my rent.

GUILTY.* Aged 29.—Confined Six Months.

737. GEORGE HARRIS was indicted for stealing, on the 6th of February, 1 pair of shoes, value 2*s.*, the goods of Mark Marks.

STEPHEN THORNTON (*police-constable E* 53.) I live in Red Lion-street. I stopped the prisoner in Bainbridge-street, on the 6th of February—he was running at the time towards Oxford-street—I asked what he had got—he said, "Nothing"—I turned him round, and found this pair of shoes under his left arm—he said they belonged to his father—he then said he got them from a shop in Monmouth-street—I took him a few yards, and he pointed out the box which he had stolen them from at the prosecutor's.

JOHN MEADY. I am in the service of Mark Marks—he keeps a shop at No. 28, High-street, St. Giles's. I know these shoes to be my employer's, by the number on the soles of them—(*looking at them.*)

GUILTY.* Aged 12.—Confined Six Months.

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738. MARGARET DUNN was indicted for stealing, on the 9th of February, 1 purse, value 6*d.*; and 1 sovereign; the goods and monies of Joseph Glitsenstein.

JOSEPH GLITSENSTEIN. I live at No. 1, Tenter Ground, Whitechapel, and am a tortoisehell-comb manufacturer. A few months ago my wife took the prisoner into her service—I left my trowsers one day on a chair by my bed side—there was a sovereign in a purse in the pocket—I shortly after went into my bed-room and missed it—I fetched the prisoner up, and asked her about it—she denied it—I got a policeman, and then she was taken—she expressed herself that she would take care I should not have my sovereign back again—I have since seen the purse—when I asked her first about it she wanted to go down, but I would not let her go till the policeman came.

DINAH LANE. I live at No. 26, Lambeth-street, Whitechapel. I was nurse to Mrs. Glitsenstein for ten weeks—one morning my master went out of the bed-room, and said, "Nurse, keep the room very quiet, your mistress has had no rest to-night"—I went into the adjoining room to wash myself—after I came back, I saw the bed-room door ajar, and saw the prisoner there—I said, "What brings you there? you have no business here" she went down, and in a few minutes after my master came up, took his trowsers off the chair, and said, "I have lost my purse"—I said, "You have taken it into your counting-house"—he said, "No, I have not."

JOHN FARNES (*police-constable H* 168.) I took the prisoner in charge—I afterwards returned to the house, and found the purse in a pan of dirty water, wrapped in a piece of old rag, in the front kitchen, just under the window—there was a sovereign in the purse.

JOSEPH GLITSENSTEIN *re-examined.* The prisoner had been employed as char-woman—I had not carried my purse down stairs—I left it in my trowsers—I saw it a minute before I went down, and when I came up it was gone—this is my purse and sovereign—(*looking at them.*)

MARY WAKELING. I searched the prisoner—I found nothing on her—she said, "You may search, you will find nothing about me; but I will take good care the gentleman never has the sovereign again."

GUILTY. Aged 35.—Confined Six Months.

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739. JAMES SMITH was indicted for stealing, on the 5th of February, 9 yards of printed cotton, value 4*s.*, the goods of Thomas Hodges.

STEPHEN THORNTON (*police-constable E* 53.) On the 5th of February I was in High-street, St. Giles's, and saw the prisoner pass me—he appeared to have something under a brown great coat—I followed him—he turned up Hampshire Hog yard—I came up to him, and said, "What have you got?"—he said, "Nothing"—I said, "You have; I insist on seeing it"—I pulled his coat open, and found this print tucked in his coat—he then said he found it in the street—I took him on suspicion.

JOHN BASKERVILLE. I am in the service of Thomas Hodges, a linen-draper, at No. 189, Tottenham-court-road—this printed cotton (*looking at it*) is his property—it was taken from the corner of the window outside—the glass was between that and the shop—it was nearly nine feet from the ground—it hung by a string, but it was within the reach of a man by reaching out—I missed it at half-past five o'clock on the day it was found—it was hanging by the string.

Prisoner. I was coming across Soho-square, and picked it up—I was going home, and met the officer, who stopped me—I told him that I had a piece of printed cotton, that I picked up.

STEPHEN THORNTON *re-examined.* He said he had nothing—I pulled his coat, and found it, and then he said he had found it—I took him a little before six o'clock.

GUILTY. Aged 34.—Confined Three Months.

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740. JOHN PENNY was indicted for stealing, on the 17th of February, 1 handkerchief, value 6*d.*; and 1 shawl, value 1*s.*; the goods of George Gaithouse.

ELIZABETH GAITHOUSE. I am the wife of George Gaithouse, and live at No. 1, Bear-alley; my husband keeps the Bolt in Tun. I know the prisoner—on the 17th of February he came to me for a shirt and a handkerchief for my husband—he said he was going out with the mails—I gave him a handkerchief—I had not a shirt—he went away, came back, and said he wanted something warmer—I gave him a shawl—I delivered the articles to him to give to my husband.

GEORGE GAITHOUSE. I know the prisoner—I did not send him for the shawl and handkerchief—he did not bring them to me.

GUILTY.—Confined Twelve Months.

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741. JOHN PENNY was *again* indicted for stealing, on the 17th of February, 1 coat, value 2*l.* 10*s.*; 1 key, value 2*s.*; and 1 shawl, value 2*d.* the goods of Robert Dear.

HARRIET DEAR. I am the wife of Robert Dear, and live at No. 3, New-walk, Whitefriars. The prisoner came to me on the 17th of February, and said my husband was wanted at the Belle Sauvage by Mr. Bleaden—I told him Mr. Dear was not at home—he went away—directly after another person came, and said Mr. Dear had sent him for his great coat, which I gave him—that was not the prisoner—I do not know what the coat was worth.

RICHARD SPARKS. I am patrol of St. Dunstan's. I received the prisoner into custody—I searched him, and found on him this key—(*producing it.*)

ROBERT DEAR. This is my key (*looking at it*) and was in my great

coat pocket—I was not at home when the prisoner called—I never sent for my coat—Mr. Bleaden is not here.

HARRIET DEAR *re-examined.* I let the person who had the coat have this key and a shawl, which were in the coat-pocket—the prisoner had not been gone five minutes when the other lad came.

NOT GUILTY.

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742. MARY FILMINGHAM was indicted for stealing, on the 15th of January, 1 jacket, value 5*s*., the goods of James Thomas Hawes.

WILLIAM BIRD. I am shopman to Mr. Dexter, of No. 125, Whitechapel-road, a pawnbroker. On the 13th of January the prisoner brought this jacket to pledge—(*producing one*)—I observed a private mark on it, and inquired whose it was—she said it belonged to a young man, who purchased it in the neighbourhood—she did not know what he gave for it—I said she had better fetch him—she went way, and did not come again—I took it to Mr. Hawes, and he claimed it.

Prisoner. I never saw the jacket. *Witness.* I am certain you brought it.

GEORGE SAVAGE. I am shopman to Mr. James Thomas Hawes, of No. 147, Whitechapel-road. This jacket is my master's—it has our private mark on it.

GUILTY. Aged 45.

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743. MARY FILMINGHAM was *again* indicted for stealing, on the 2nd of February, 4 shawls, value 10*s*., the goods of James Thomas Hawes.

WILLIAM BIRD. In consequence of something which happened, I fetched the prisoner to my master's shop on the 2nd of February—as we were bringing her into the shop, two shawls fell from her, and these other two we had detained—they had been brought to the shop before she came—I saw the private mark on one of them, which led me to suppose they belonged to the same person—I detained the prisoner, and gave her to the officer.

GEORGE SAVAGE. These two shawls that fell from her are the property of my master, James Thomas Hawes—we had seen them safe in the shop the same afternoon about half-past two o'clock—I had not parted with them at all—my master lives twelve doors from Mr. Dexter's.

Prisoner's Defence. I met Mrs. Murphy, whom I know, and she said, "Will you let your little girl go and pawn these shawls?"—I allowed her to go, and sent my little girl—she then said she had got two more—I said I was sorry for it—my little girl came back to me, and this young man came and called me—I went, and he said, "Do you know any thing of these?"—I said they had come from Mrs. Murphy—they sent my little girl for her, but she could not be found—I was not near the prosecutor's house at all—the woman gave them to me.

GUILTY. Aged 45.—Confined Twelve Months.

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744. EDWARD DALLADY was indicted for stealing, on the 10th of February, 1 crown, 12 shillings, and 4 sixpences; the monies of George Gibson, his master.

JANE GIBSON. I am the wife of George Gibson, and live at No. 38, Marshall-street, Golden-square—he is a publican. The prisoner had been in his employ between three and four months—I heard some money fall

in the bar on the 10th of February—there is a window through which I can look from the parlour into the bar—I looked, and saw the prisoner taking the money from the mantel-shelf in the bar—he went away into the yard—I looked in the bar, and found some money had dropped into the fender—I went into the yard, and found the prisoner in the water-closet—he attempted to take a pound's worth of silver—there was 3*s.* 6*d.* left on the shelf, and 6*s.* down in the fender.

GEORGE GIBSON. The prisoner was in my employ. On the Saturday, in consequence of information, I put questions to him—when I came from the parlour my wife was accusing him of taking this money and throwing it down the closet—he said he had not—he was attempting to go into the yard again, but I prevented him—I saw the water-closet searched, and found 9*s.* 6*d.* there—the crown-piece and 4*s.* 6*d.*—the money was marked—this is it—(*producing it*)

JOHN BECKERSON (*police-sergeant C* 4.) I was sent for to take the prisoner—he denied all knowledge of the money—I took up six shillings from the fire-place, and two shillings and three sixpences were found on the shelf—I did not see the water-closet searched.

(The prisoner received a good character.)

GUILTY. Aged 20.—*Recommended to mercy by the Jury.*
Confined Two Months.

Sixth Jury, before Mr. Sergeant Arabin.

745. WILLIAM SMITH and JAMES BALTOCK were indicted for stealing, on the 12th of February, 8 fowls, price 20*s.*; and 2 tame ducks, price 5*s.*; the property of George Podmore and another.

NICHOLAS RYVES (*police-constable N* 54.) On the 12th of February I was on duty in Hackney-wick. I do not know how far that is from the prosecutor's—at a quarter past seven o'clock in the morning I met the two prisoners in company together—my suspicion was attracted by the bulky appearance of one—they had both smock-frocks on—I spoke to Smith, and bid him good morning, and after a little time I ordered them to stop and give up the property they had in their possession—they stopped—I searched them, and found eight dead fowls and two dead ducks—on Smith I found five dead fowls and one dead duck, stowed about his body, hanging to his braces, and his smock-frock was made like a bag—on Baltock I found three fowls and one dead duck—they were suspended from his braces, under his smock-frock—I asked where they got them, but they would not tell me—I took them to the station-house—the fowls and ducks had been recently killed, and were partly picked—the heads and necks were not picked.

WILLIAM HOWARD (*police-constable N* 185.) I was with Ryves—what he has stated is true—we took the fowls to the station-house—we found the prosecutor, and he swore to them—they were given to the work-house by order of the Police Commissioners, all except one cock.

GEORGE PODMORE. I live at Chigwell, in Essex, about eight miles from where these men were. I saw the fowls and ducks at the police-station—I knew them—they were the property of me and my brother—I attended to them daily, and knew them—here is one dead cock, which is a Spanish cock—they ran about in a lock-up house—there is a hole at the bottom for the fowls to go in—I locked it on Sunday, the 11th of February—I saw

them all secure about three o'clock that day, and about seven o'clock the next morning my servant told me of the loss—I went down, and missed six hens, a pullet, a duck and drake—the drake was perfectly white, and very large—I have no doubt they were our property—the face of the padlock had been forced off with a chisel, or something.

SMITH*—GUILTY. Aged 24.
BALTOCK*—GUILTY. Aged 24. } Transported for Seven Years.

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746. JOHN LOVEY and JOHN OLIVER were indicted for stealing, on the 3rd of February, 1 copper, value 8*s*., the goods of Thomas Jelley; and that the said John Lovey had been before convicted of felony.

WILLIAM ADAMS (*police-constable G* 184.) I met the two prisoners on Clerkenwell-green, between twelve and one o'clock at noon, on the 3rd of February—Lovey was carrying something in a bag—the other walked alongside of him—I followed them to Red Lion-street, and asked them what they had got—they said, "Look," and I found this copper in the bag, as it is now—when I first saw them I suppose they were 200 yards from the prosecutor's—I asked them where they got this—they said they found it in the ruins—I took them, and found the owner.

THOMAS JELLEY. I live at No. 30, Little Saffron-hill. This copper (*looking at it*) is mine—it stood in my yard, which is surrounded by a wall and gates ten feet high—I saw it safe at one o'clock on the 2nd of February—my door was not left open—I cannot tell how they could get this—it was in the yard adjoining my cow-shed.

JURY. *Q*. In what state was the copper when you saw it last? *A*. In the state of a copper—not in the state it is in now—it was not fixed—it is now all beaten up.

Lovey's Defence. I was coming across the ruins, and my fellow-prisoner fell over this copper, and I took it up.

JAMES ABBOTT (*police-constable G* 218.) I got this certificate of the prisoner Lovey's conviction from Mr. Clark's office—(*read*)—I was a witness—Lovey is the person who was then convicted.

LOVEY—GUILTY. Aged 22.—Transported for Seven Years.
OLIVER—GUILTY. Aged 20.—Confined Six Months.

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747. ANN CHAPMAN was indicted for stealing, on the 6th of February, 1 sheet, value 2*s*., the goods of John Davies, her master.

MARY DAVIES. I am the wife of John Davies, and live at No. 2, Carburton-street—my husband is a cheesemonger. The prisoner was our servant of all work, and had been so for three weeks—during the time she was there I missed 7*l*., and then a £5 note from my bedroom—I suspected the prisoner, from a gentleman who lodged with me having lost a key of one of his trunks, and we thought it must open our drawer—I went to look for the key, and found the sheet first on her box, and afterwards locked up in her box—I only found one, and that was cut up in different pieces—I spoke to her about it—she said she cut it to make glass-cloths—it did not appear to be cut for glass-cloths, but for shifts—I told her it was cut up for shifts—her box was in the kitchen—she had no authority to cut it at all.

FREDERICK COLE (*police-constable E* 32.) I was sent for, and took the prisoner—I heard her mistress tell her she had cut the sheet up to make two

shifts of—the prisoner said she took the sheet, but intended to make it into glass-cloths.

Prisoner's Defence. We were very short of cloths—I thought it no harm to look for the worst I could find to cut up to make cloths with, which I intended to do—I had torn it in two, but had not time to tear it up fit for cloths.

GUILTY. Aged 28.—Confined Six Months.

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748. DANIEL ALEXANDER was indicted for stealing, on the 10th of February, 2 pewter pots, value 2*s.*, the goods of Robert Helling.

JOHN TAYLOR (*police-constable E* 31.) About four o'clock, in the afternoon of the 10th of February, I saw the prisoner in the street—he had something in his jacket-pockets—I went and asked him what he had—he said, nothing that he was afraid of; he would show me if I chose—I told him it might remove suspicion if he did—he then pulled out a pint pot—I asked him who it belonged to—he said, "The Devonshire Arms, Duke-street"—I took him there, and asked the landlord if he knew him—he said he knew nothing of him, but the pot belonged to Mr. Helling, of the White Swan—I took him there, and asked what he had in his other pocket—he said, "Another like it"—Mr. Helling identified the pots as his.

ROBERT HELLING. I keep the White Swan, in Great Portland-street. These pots are mine, but I do not know the prisoner—he had no right to my pots at all.

Prisoner. The pots were in the street—I was going to take them home as soon as I had been to another place.

GUILTY.* Aged 21.—Transported for Seven Years.

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749. ANN DAY was indicted for stealing, on the 18th of February, 90 yards of net, value 7*s.* the goods of Henry Bennett.

HENRY BENNETT. I keep a linen-draper's shop in Gray's Inn-road. The prisoner came to my shop on the 12th of February, to buy some quilling net—she bought five yards, which came to 7½*d.*, and two yards of ribbon, which was 1*d.*—I did not serve her—I was engaged in the shop, marking goods, as I had just received a parcel of goods from the City—I had opened them, and got them on the counter—I was called to speak to a person, and was not engaged more than five or six minutes—during that time the prisoner was served, and had gone out—I went back to my former employment, and said, "Who is that person who has just gone out?"—my assistant said it was a servant from the oil-shop on the other side—I went after her, and found the prisoner with her mistress, in the shop—I accused her of having stolen a piece of goods—she said she had not brought from my house any thing she had not paid for—I wished her to step back to my shop, which she did—I said, if she would give me back what she had I would let her go—she declared to her God she had not got any thing—I got a policeman—he took her to the station-house, and some property was found—this is it—(*looking at it*)—this is the piece I missed—it is called *net*—there are 90½ yards of it.

Cross-examined by MR. CLARKSON. *Q.* What description of net do you call this? *A.* Quilling net—that is its denomination—there are several sorts of net.

MARY WOOD. I served the prisoner, in the prosecutor's shop, with five yards of quilling net, and two yards of wire ribbon—I did not sell her these ninetyyards—I did not miss this property—my master did, and I said where she was gone.

JOHN STOCKS (*police-constable G* 66.) I was sent for, and took the prisoner to the station-house—she was searched by a female—she did not say any thing about buying any net.

MARY ANN REDMAN. I was sent for, and searched the prisoner—I found this net in her bonnet—I had told her I intended to search her for some net, and she said she had not any net about her.

(The prisoner received a good character.)

GUILTY. Aged 18.—*Recommended to mercy by the Jury.*
Confined One Month.

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750. WILLIAM GODFREY was indicted for stealing, on the 5th of January, 1 saw, value 2*s.*, the goods of Andrew Bonthron.

ANDREW BONTHRON. I am collector to the Regent's Canal Company. I lost a saw on the 5th of January, and on the 13th of February it was produced—this is it—(*looking at it*)—it is mine—the prisoner was about the dock to look for work—it was in a shed at the back of my house, at the Regent's Canal.

JAMES CHRISTOPHER EVANS. I am an officer. I went in search of the prisoner, and found him in Salmon's-lane, Limehouse, near the Regent's Canal—I said to him, "Where did you get that saw which you pledged at Hawkins's a month ago?"—he said, "From my sister"—I said, "Who is your sister? where can I find her?"—he said she was gone away, he did not know any thing about her—I took him, and the saw was found at the pawnbroker's—one of the lock-keepers gave me the duplicate that the prisoner had sold to him—this is the duplicate—(*producing it.*)

WILLIAM BRADBURY. I am a lock-keeper at the Regent's Canal. On the 3rd of February the prisoner asked me if I would buy a duplicate of a saw—I told him no, but I bought it on the 4th—I went on the 5th, and looked at it; and then I knew the prosecutor had lost his saw, and I told him of it.

GEORGE PHILLIPS. I am shopman to Mr. Hawkins, the pawnbroker. This saw was pawned at our house—this is the duplicate we gave for it—I do not know who pawned it—it was pawned on the 5th of January.

Prisoner. I bought the saw of Henry Petersham—I gave him 1*s.* for it—he is dead and buried—being out of work all the winter, I pawned it.

ANDREW BONTHRON *re-examined.* I missed the saw between two and four o'clock in the afternoon of the 5th of January.

Prisoner. The pawnbroker said it was pawned before dinner, and I pawned it at a quarter before twelve o'clock.

GUILTY. Aged 18.—Confined Five Days.

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751. JAMES RYAN and ROBERT EDWARDS were indicted for stealing, on the 10th of February, 23 printed books, value 6*s.*; and 5 pictures and frames, value 1*s.*; the goods of William Farlow.

SARAH FARLOW. My husband's name is William Farlow; we keep a broker's shop in Spa-fields. On the 10th of February, a child came in

755. WALTER MILTON was indicted for stealing, on the 10th of February, 1 watch, value 15*s.*; 1 watch-chain, value 6*d.*; 1 watch-key, value 2*d.*; and 1 seal, value 3*d.*; the goods of William Skelton: and MARGARET DANIELS, for feloniously receiving the same goods, well knowing them to have been stolen; to which

MILTON pleaded GUILTY. Aged 13.—Transported for Seven Years.

WILLIAM SKELTON. I live at No. 18, Little North-street. Walter Milton is my wife's son, by a former husband—on the 10th of February I lost a watch from over the mantel-piece—the boy was not living at home with me—he said he gave it to a woman, near Plumtree-street—in consequence of this the female prisoner was found.

THOMAS SIDWELL. I am a builder, and live in Marylebone. The prosecutor worked for me—I knew his son—I heard of the loss of the watch, and spoke to him—that led me to the female prisoner—I went to the stall where her husband was—he fetched his wife, the prisoner—I asked her why she left that boy there on Saturday, and went and pawned a watch—she at last confessed she had left the boy at the stall, and went and pawned it, but had got the duplicate—when I first taxed her with pawning it, she said she had not pawned it—I am sure she said that once—I said, "You had better give me the ticket, and then, perhaps, there will be nothing more said about it"—she said, "It lies on a glass on the mantel-piece at my house"—she went with me, and I received the ticket from her husband, off the mantel-piece—I then said I must give her in charge.

THOMAS SPENCER WALTER. I am shopman to a pawnbroker. I took in this watch of the female prisoner, on Saturday, the 10th of February, in the name of Ann Smith, a lodger, 18, Plumtree-street—here is the counter duplicate, and this is the one given her—(*looking at them.*)

WILLIAM SKELTON *re-examined.* This is my watch, and seal, and chain.

Daniels's Defence. Miller came to me and said, "Will you be so kind as to take this watch over the way; they won't take it in of me; I am too young"—I looked at the boy, and said, "Where did you get it?"—he said, "My mother is ill in bed; they won't take it in of me"—I said, "I have no objection to do it, but I will not go where you have been; I will go to Mr. Jones's, where I generally pawn;" and I did go and pawn it—I looked at the ticket, and gave him the money, and I found there was a mistake in it—I ran back—they had given me a shilling too little, and when I came back the boy was gone.

DANIELS—NOT GUILTY.

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756. WILLIAM RICE was indicted for stealing, on the 10th of February, 1 toy, value 2*s.*; 60 pence, and 120 halfpence; the goods and monies of William Hamley, his master.

WILLIAM HAMLEY. I keep a toy-warehouse in High Holborn. The prisoner was my errand-boy for about four or five months—I missed 10*s.* worth of coppers on Saturday night, the 10th of February, from behind the counter, off a shelf where I had put them up in two papers, one in brown paper and the other in foreign paper—I missed them just as I was closing—the prisoner was in the shop that evening—my suspicions

fell on him, and I thought I would search the kitchen and cellar—I searched, but did not find any thing—on the Sunday morning I thought I would search his bedroom—I sent him out—I went into his bedroom, took up his box, and found something heavy in it—I tried my keys, and one of them opened his box, and there were the two five-shilling papers of halfpence and pence—I did not give him into custody then, as he did not come back—at night I took the policeman to his bedroom, and he found him—I said to the policeman, "Search the room," and he said, "It is no use searching, there are the halfpence under my clothes"—I said to the prisoner, "Put on your clothes, and go with the policeman"—he said, "Pray forgive me, I will never do so any more"—and there was this toy under his clothes.

SAMUEL MATTHEWS. I am a policeman. I took the prisoner and found these things.

Prisoner. I mean not to deny having the halfpence, but I did not mean to steal them—I went on Saturday night to a butter-shop, and the shopkeeper asked me for 10*s*. worth of halfpence—I put the 10*s*. he gave me into the till, and meant to take the halfpence to him on Sunday morning—I went down into the kitchen, and saw this toy among the knives—I took it up, and put it with the halfpence into my box.

WILLIAM HAMLEY *re-examined*. He had heard me and my shopman talking about the 10*s*. worth of halfpence being missing, and that would have reminded him of it—he never named it to me.

Prisoner. My master had a six years' character with me from my last place—if the cheesemonger had been here, he would have proved the truth of what I say. *Witness*. He never said this before.

(The prisoner received a good character.)

GUILTY. Aged 18.—Confined Six Months.

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757. WILLIAM WEST and WILLIAM BRAY were indicted for stealing, on the 12th of February, 1 basket, value 1*s*.; 2 caps, value 1*s*.; 3 curtains, value 2*s*.; 1 shirt, value 3*s*.; 1 pair of stockings, value 1*s*.; 1 toilet-cover, value 1*s*.; 1 bag, value 6*d*.; and five yards of net, value 1*s*.; the goods of Thomas Pendry; to which

WEST pleaded GUILTY. Aged 23.—Transported for Seven Years.

JOHN HALL. I am a policeman. I was on duty in Holborn on the 12th of February, at a quarter before ten o'clock—I saw this basket (*producing it*) taken from off the prosecutor's cart as it was going along—the two prisoners were in company together—I had seen them go about twenty yards together—the cart was going along, and both of them took hold of the basket—West ran away with it, and I stopped him about thirty yards from the cart—Bray got away, but he was taken about four hours after, the same night.

SARAH PENDRY. My husband's name is Thomas—I am a laundress. This basket (*looking at it*) is mine, and the contents were going to the owner—they were in my keeping and custody—it was at the back of the cart—I did not find it was gone till the officer brought it—it contained all the articles stated in the indictment—I was inside the cart, driving.

Bray. I know nothing of the charge—I was not there at the time.

BRAY*—GUILTY. Aged 18.—Transported for Seven Years.

OLD COURT.—*Friday, March 2nd,* 1838.

Third Jury, before Mr. Sergeant Arabin.

758. WILLIAM JARVIS was indicted for embezzlement. — 2nd COUNT, for a larceny.

JOHN FLETCHER. I am an auctioneer, and live in Piccadilly. The prisoner had been my errand-boy about two months—I had occasion to send advertisements to the newspapers, in my business, and employed the prisoner to take them—I sent him, on the 26th of December, to get an advertisement put into the Post, Herald, Times, and Chronicle—I gave him gold sufficient to pay for the advertisement, and bring back a balance—I cannot say what amount I gave him—I did not know what they would amount to, only by the ticket which was returned to me—he brought me back some change—I do not remember what amount he brought me—I cannot tell what money I gave him, nor what he returned to me.

Q. Did you at any time charge him with not returning you the whole change? *A.* After I discovered that the tickets had been altered—when he returned, he brought me these tickets back—one from the Times, for 11*s.*, for two advertisements—the next from the Morning and Evening Chronicle, two for 11*s.*—I cannot remember what money I gave him, nor what balance he returned to me.

NOT GUILTY.

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759. WILLIAM JARVIS was *again* indicted for embezzling and stealing 2*s.*, which he had received on account of John Fletcher, his master.

MR. PHILLIPS *applied to the Court on the prisoner's behalf, to withdraw his former plea, and he pleaded*

GUILTY. Aged 13.—Confined Two Months.

(The prisoner received a good character.)

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760. ELIZABETH HOGAN and ANN JONES were indicted for stealing, on the 12th of February, 1 coat, value 10*s.*; and 1 pair of spectacles, and case, value 10*d.*; the goods of Willam Maher; and that Hogan had been before convicted of felony.

WILLIAM MAHER. I am a gardener, and live at Portland-town. On the 12th of February I met the prisoner Hogan in a public-house in Holborn, about five or six o'clock—I was sober—I left her, and told her I would return about nine o'clock, which I did, and went to a house with her—I agreed to stop all night with her—she took me to George-street, St. Giles's, into a room up stairs—I took off my coat and hat, and had been there a very few minutes when the prisoner Jones came in—I did not lie down, and had nothing to do with them—when Jones came in they

an to beat me, and had me down on the ground—they handled me very ghly, both of them, and wanted to get off all my clothes to get me to —they both held me down—I cried out "Murder"—the servant of the se came up—they had put the light out—Jones went away directly the vant came up—I then desired Hogan should go away, and she went—id not miss my coat and spectacles then, but in a very few minutes the iceman came in with my coat—my spectacles were in my coat pocket hey wanted to strip me naked.

Hogan. We had a good deal to drink, and were both very much in-icated—when the policeman apprehended us it was half past three ock in the morning. *Witness.* I did not go home with her till eleven welve o'clock.

OSEPH CLEMENTS. I am a policeman. About twelve o'clock on the nt in question, I met Jones in George-street, St. Giles's, with this coat her apron—I asked her what she had got there—she said it was her ther's coat, and she had brought it from Lambeth—I took her to the ion-house—I went out in search, and found the prosecutor at a house George-street—he gave me the account he has given now—he was per-ly sober—I apprehended Hogan about three o'clock in the morning—was quite sober.

(*Property produced and sworn to.*)

Hogan's Defence. I know nothing of the coat whatever—I certainly in the man's company.

Jones's Defence. I was going up George-street, and saw several men ding round—there was a fight—the coat laid down there, and I picked p—if I had been guilty I should not have carried it in my lap—when w the policeman, he said, "What have you there?"—I said, "I have at," and I showed it directly.

OSEPH CLEMENTS. I am a policeman. I got this certificate of Hogan's er conviction at the Sessions-house, Clerkenwell, from the Clerk of the ce—(*read*)—I was present at her trial—she is the same person.

HOGAN*—GUILTY—Aged 27.—Transported for Fourteen Years.
JONES*—GUILTY—Aged 24.—Transported for Seven Years.

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61. JOHN OLIVER, GEORGE CLARKSON, JAMES STEVENS, IN MORGAN, WILLIAM TAYLOR, GEORGIANA STEVENS, FRANCES TAYLOR, were indicted for burglariously breaking and ring the dwelling-house of Rowland Swann, about the hour of one in night of the 24th of January, at St. Luke, Middlesex, with intent to l, and stealing therein, 1 bed, value 10*s.*; 1 blanket, value 7*s.*; 3 s, value 2*l.* 10*s.*; 5 pairs of trowsers, value 3*l.*; 2 waistcoats, value 8*s.*; t, value 7*s.*; 1 hat-box, value 6*d.*; 3 brushes, value 2*s.*; 3 pairs of ts, value 13*s.*; 2 towels, value 2*s.*; 2 pairs of spectacles, value 3*s.*; lannel-shirt, value 2*s.*; 1 handkerchief, value 1*s.* 6*d.*; 1 tea-kettle, e 1*s.*; 1 pen-knife, value 1*s.*; 3 pictures, value 1*s.*; 1 umbrella, e 1*s.*; and 1 half-crown; his goods and monies.

ROWLAND SWANN. I am a police-officer, and live in Freeman's-place, eman street, Bunhill-row, in the parish of St. Luke. I occupy the om part of the house—a man and his wife, and a son, live in the upper —the landlord does not live on the premises—on the 24th of January, ent out on duty, about half past eight o'clock at night—I fastened the

room door, examined the window, and it was fast—there is but one room on a floor—I returned about half past four o'clock the following morning, and found the window-shutter a little open—I pulled it open, and found the window wide open also—I looked in, but could see nobody —I opened the street door, unlocked my room door, struck a light, and looked for a candle, which I had placed on a mantel-piece the night before I found it had been taken out of the candlestick—I locked the door, ran over to the station-house, and procured a lamp—I then returned, and searched the room, and missed three coats, five pairs of trowsers, two waistcoats, a hat and box, three brushes, three pairs of boots, and several other articles—a bed, a blanket, and a flannel-waistcoat.

Q. How lately before had you seen the articles? *A.* They were all there when I went out—on the 6th of February I went with sergeant Seal to the lodging of the prisoner Oliver, at No. 4, Coleman-street, and there I found a bed, a hat-box, a tea-kettle, three brushes, and a small framed glass, which were my property, and which I had lost—on the next day I went with sergeant Seal and William Ball to Morgan's house, in Peter-lane, Smithfield, and there found a black waistcoat of mine, a pair of white trowsers, a hat, and a flannel-waistcoat—I did not know Morgan lived there till I was informed of it—he was there, and his wife—he was taken into custody—I went the same night to a house in Northumberland-court, Compton-street, and found Taylor there—I could not identify any thing in his place—but on his being searched at the station-house I found a pair of boots on his feet which belong to me—they were Wellington boots, but the tops were cut off —our boots are marked with a particular mark, which is cut on them—it is the broad arrow, and a number—the officer took possession of the articles.

Cross-examined by MR. DOANE. *Q.* Do you pay the rent of the part of the house you occupy? *A.* Yes—the robbery was on the 24th of January —I went to Morgan's house on the 6th of February with Seal and Ball, and found the black waistcoat there—Seal did not suggest to me in the first instance that it was my waistcoat.

Q. Did not you look at it, and did not Seal say, "Do you not think that is your waistcoat? it has a string off it?" *A.* I did not hear him say any thing of the kind—I had no doubt of it—it appears that Morgan keeps a sale shop, and sells wearing apparel—there were a number of hats for sale in his window, and my hat along with them.

COURT. *Q.* Did you say any thing to Morgan as to how he became possessed of the waistcoat and hat? *A.* No, I did not.

THOMAS SEAL. I am a police-sergeant. On the 6th of February I went with Swann to Coleman-street, Bunhill-row—I had been there previous to that—I know Oliver occupies that house—I did not know it previous to that—I knew it from the witness Fairweather.

MARY FAIRWEATHER. I am the wife of James Fairweather, and live at No. 4, Coleman-street, Bunhill-row. The prisoner Oliver lodged there—I let the room to him on the 29th of December last—he occupied it from that time to the 6th of February, when he was taken into custody—I had given him notice to leave the day previous—I know James Stevens—he came to assist him to move his goods in, and remained with him the remainder of the time they were there—he lived there all the time with him in the same room—I saw George Clarkson there on Monday, the 5th of February, and on Tuesday, the 6th.

THOMAS SEAL (*continued.*) On the 6th of February I went to No. 4,

Coleman-street, between eleven and twelve o'clock at night, with Ball, and found the prisoners Oliver and Clarkson there—they appeared to be going to bed—they both had their coats off—I saw a bedstead in the room, and a bed on it—I turned down the bed, and under that found another bed, which answered the description of the one which Swann had lost—I then told the prisoners I should take them into custody on suspicion of being concerned in Swann's robbery—they said they knew nothing about it—the house is a very few yards from Swann's—I took the prisoners over, leaving Ball in charge of the room—I fetched Swann over, and we proceeded to search the room—in a cupboard in the corner of the room I found three brushes, a small picture-frame and glass, a tea-kettle, and a hat-box—shortly after, Ball brought Stevens to the station-house, he having come home soon after we had left—about ten o'clock, on the 7th, I went to No. 13, Northumberland-passage, Compton-street, Clerkenwell, and in a room up stairs found the prisoners Georgiana Stevens and Frances Taylor—I believe Georgiana Stevens is not James Stevens's wife, and I am not certain whether Frances Taylor is Taylor's wife or not, but they live together as man and wife—I never knew them before, myself—I found them on separate beds, and under the bed where Georgiana Stevens was lying, which was on the floor, I found the top part of a pair of police-boots, apparently—I found nothing more there—I believe the prisoner William Taylor is the landlord of that house, as I understand from the owner—I do not know it of my own knowledge—I went the same morning to No. 8, Peter-lane, Cow-cross, where the prisoner Morgan lives, and there found a hat, a waistcoat, a pair of white trowsers, and a flannel-waistcoat—I asked Morgan if he knew a young man named Oliver—he said, "Yes, he is my wife's brother"—I asked him what sort of a character he was—he said he believed he was a very respectable young man—Morgan keeps a shop for the sale of old clothes.

Prisoner Georgiana Taylor. He came to my mother's place at nine o'clock in the morning, and I was in bed—he said, "Georgiana Taylor, turn out, old girl, I want you"—I said, "Who are you, what is your business?"—he would not tell me—I directly got up, and was about to put on my things—he said, "Stop," and did not want me to put on my clothes—he says I laid on the floor, and it was on a bedstead—he did not find any boots. *Witness.* I believe the bed was on the floor—the boots were under the bed.

George William Ball. I am a policeman. On the 6th of February I apprehended the prisoner James Stevens, about half-past twelve o'clock at night, at Oliver's, No. 4, Coleman-street, Bunhill-row — I found on him two small scent-bottles, a penknife, 7½*d.* in money, and a wire with two hooks at the end—that is not here—it does not relate to this case—I afterwards went to No. 13, Northumberland-place, where I apprehended William Taylor, and found on him a pair of boots with the tops cut off.

Rowland Swann *re-examined.* I know these boots by their being soled at the bottom, and other marks about them, and by the tops, which fit them—the broad arrow is cut on, and the number, and the date of the year—the soles have been patched since I lost them—the tops exactly correspond—these white trowsers were quite new—I had never worn them, but they have been since put into water to spoil them—I know my hat by a small break in it—I have worn it a considerable time—I know the lining

—it is a watered lining—I swear positively to the hat—I knew it instantly I saw it—the hat-box I know particularly, and the tea-kettle and brushes—this waistcoat I can positively swear to; here is a little break under the arm, and a small place in the left-hand pocket—the white trowsers I know by being joined here—the flannel waistcoat has a small piece under the arm which has been recently put.

Oliver's Defence. On the morning of the 25th I had occasion to go down into the yard, and saw a quantity of things lying there—the hat, hat-box, brushes, bed, and tea-kettle—I instantly went up stairs again, and did not touch them—I said to my fellow-prisoner, Stevens, "There is something in the yard, I do not know who they belong to"—we went down stairs, looked at them, and took them up stairs—there was nobody said any thing about them, nor asked for them, nor was there any noise about them, and we kept them—had I known they were stolen I should not have kept them, but I found them in the yard.

James Stevens's Defence. Oliver went down for some water in the yard—he came up stairs and told me there were some things there—I went down with a candle and fetched them up stairs, and put them into the cupboard—they laid in the open yard.

William Taylor's Defence. I bought the boots found on me, in Petticoat-lane, and my legs being bad, I was obliged to cut the tops off.

JURY *to* MRS. FAIRWEATHER. *Q.* Do you know any thing of the goods being found in the yard? *A.* No, I never heard it—I never knew they were there—I never went into their room while they were there—the things were not in the yard when I went to bed, about twelve o'clock, the night before—my house is not open all night—I shut the door when I go to bed, and if anybody is out they bolt it when they come in—Oliver once asked if I would let him have the key—I said no, I was going to wash, and I should be up—he could get out without the key—the door is fastened with a latch—I generally go to bed at twelve o'clock—I bolt it if I consider every body is in—the wall of my yard forms part of the side of Friendly-place—persons could get over into my yard from Friendly-place—I have had my water-pipe and cock stolen out of the yard sometimes.

ROWLAND SWANN *re-examined.* My house is about twenty yards from Fairweather's place, on the opposite side—the wall of her yard is very low—Friendly-place is always open, but it is not a thoroughfare.

(*Upon the prisoner William Taylor's feet being examined, they were found to be sore just above the ankle.*)

OLIVER—GUILTY. Aged 20.
JAMES STEVENS—GUILTY. Aged 18.
Of housebreaking, but not burglariously.

WILLIAM TAYLOR,
GEORGE CLARKSON,
JOHN MORGAN,
GEORGIANA STEVENS, and
FRANCES TAYLOR,
NOT GUILTY.

Before Mr. Justice Williams.

762. JOHN OLIVER, GEORGE CLARKSON, JAMES STEVENS, JOHN MORGAN, WILLIAM TAYLOR, GEORGIANA

STEVENS, and FRANCES TAYLOR, were *again* indicted for breaking and entering the dwelling-house of James Pells, on the 14th of January, at St. Luke, and stealing therein 2 blankets, value 10*s.*; 1 quilt, value 1*s.* 6*d.*; 1 candlestick, value 3*s.*; 1 trunk, value 1*s.* 6*d.*; 2 sheets, value 3*s.*; 1lb. weight of horse-hair, value 1*s.*; 12 yards of lace, value 10*s.*; and 23 yards of ribbon, value 10*s.*; his goods.

Thomas Seal. I am a policeman. On the 6th of February I made a search, as I stated in the last case—I found nothing on the prisoner William Taylor—I went to a house which I was informed was his lodging, but I do not know it myself—I am not aware whether any witness can prove it—I found a sheet in a chest of drawers, among other things, in a parlour, at the back of the prisoner Morgan's shop, which is an old clothes shop—I found Georgiana Stevens in bed in a room, and found a box there—I asked the prisoner Georgiana Stevens whose box it was—she instantly answered, "My box"—Frances Taylor was in another bed, in the same room—she said nothing there, but at the police-office she said, that part of the property I found in Georgiana Stevens's bed was in her bed, which was not the case—I found nothing in the bed where she was—in the box I found some pieces of ribbons and silk—it seemed the fag-ends of a roll of silk, and on the bed where Georgiana Stevens lay I found an old patchwork quilt—I found nothing else referring to this robbery—this was on the 7th of February—on the night of the 6th, between eleven and twelve o'clock, I went to Oliver's lodging—he was just going to bed—I did not mention this robbery to him, as I was not aware of it at the time.

Q. Did you find any thing belonging to Mr. Pells in their possession, or in the room? *A.* In the same cupboard, where I found a portion of the property mentioned in the last indictment, I found a small trunk, with the lock broken off, which I produce; and by the side of the trunk laid a quantity of horse-hair—I also found two brass candlesticks on the mantelshelf over the fire-place, and another on the table in the room.

Jury. *Q.* Was the sheet along with a stock of sheets in the drawer at Morgan's? *A.* Yes, it was with other sheets and other linen, in a chest of drawers in the back parlour, at the back of his shop—it might be part of his stock for sale.

James Pells. I am a horse-hair manufacturer, and live at No. 10, Waterloo-street—I use the house as a workshop and a kitchen—it is one house—the upper part is the workshop, and the lower part the kitchen. On Sunday, the 14th of January, I went out between eleven and twelve o'clock in the day—I left nobody in the house—the door was locked, but it was a very bad lock, and out of repair—we left the window down, but so that it could be opened—we came home between nine and ten o'clock in the evening—my mother-in-law had gone into the house before me—I found the window fastened, and the shutter also—I missed four candlesticks, two blankets, two sheets, and a trunk, with different articles in it; and I missed about 1lb. of horse-hair, and some ribbons, which belong to my wife—I had seen them about a week before we moved—I had seen the box they were in, but had not seen the ribbons in it on those premises—I had seen the candlesticks when I went out in the morning—I believe the trunk produced to be my wife's—I am certain it is the trunk which I saw in the place when I went out—I cannot swear to it, but I am quite certain it is the trunk—I only know it by its being papered, and by my father-in-law's putting this lock on.

Q. Can you undertake to swear that is the trunk you left in the shop when you went out? *A.* Yes—I know some of these ribbons—(*looking at the property*)—and this gauze scarf I know particularly, by seeing it years ago—my wife used to wear it, and it was put by in the box—I do not recollect seeing it in the box—my wife used to wear it about five years ago—here is a band, corresponding with a dress she has got—I have seen her wear that once, some years ago—I do not know the counterpane myself—these clasps I know—I have not seen them for some time, but I gave them to my wife, about six years ago, before she was married—I know all the candlesticks—the flat one has got the knob off it—I have had them about twelve months, and am certain of them.

MARY SMITH. I am the prosecutor's wife's mother. I have examined the scarf, ribbon, and counterpane—I think I can swear to all the ribbons being my daughter's, and the clasp—I often saw her open the box, and look at them—I dare say I have seen her do so within a month—the things were all in the trunk together, rolled up—I saw them last about a month ago—that was before they moved into this house—they were in the trunk—I know the trunk by the paper, and by the size of it—I saw that about a month ago—I live in the same house with the prosecutor—I never saw the box in the place it was taken from—it was left in the small house, which the prosecutor occupies as a workshop and kitchen—they had removed from that to another house, but this trunk was not moved—we had moved about a fortnight before the robbery.

Q. Then you had never been in the workshop from the time you moved? *A.* Yes, I was frequently in the habit of going, because the kitchen is in the same house—I saw the trunk there after we moved—it had not been brought over—I saw it on the Saturday, when we were moving some of the goods over—I meant I had not seen it open for a month—I can swear to the counterpane—the bottom of it is made of umbrella stuff—I cannot exactly say when I saw it last, but certainly within a month—when they were moving—it was tied up, with a bed in it—I saw the ribbons about a month ago—when I last saw the box there were articles of this description in it—I am quite sure of the trunk being the prosecutor's.

MARY FAIRWEATHER. The prisoner, Oliver, lodged in my house—I let the room to him on the 29th of December, and he remained there till he was apprehended—I first saw Clarkson there on Monday, the 5th of February, in the afternoon—when he came down stairs, I requested him to tell Oliver I wished to speak to him, which he did; and I desired Oliver to leave—I believe they remained together that night—I saw them there in the afternoon, and again on the Tuesday, at different times in the course of the afternoon; and I saw him brought down stairs by the policeman, with Oliver—I did not see Clarkson after the afternoon-part of the day, till the policeman brought him down in custody—the prisoner, James Stevens, had assisted Oliver in bringing his goods into the house, in December; and I saw him there at different times, till he was taken into custody; and I firmly believe he slept there all the time, but I do not know it.

THOMAS SEAL *re-examined.* I went to Oliver's apartment—I found Oliver and Clarkson there—Stevens came in shortly afterwards, and was taken into custody—when I entered the room Oliver and Clarkson were in the act of going to bed—I have not brought the box here, which Georgiana Clarkson claimed—all the articles, except the candlesticks and horse-hair,

were found in that box, and the other sheet in some drawers at Morgan's —the counterpane was on the bed in which Georgiana Stevens slept.

Oliver's Defence. The articles produced I bought, with a bedstead, a carpet, the candlestick, and two quilts—I gave 16*s.* for the lot—Stevens said it would be easier for us to pay 1*s.* a week than 2*s.*, and we were in the room together—we bought the articles we are charged with stealing—Stevens paid part, and I paid part—he gave the ribbons to his sister, and kept the box; and Clarkson's mother being confined, he asked me to let him come to my place for a night or two, as it was not convenient for him to be at home, and he came on Monday and Tuesday night.

James Stevens's Defence. I have nothing further to say than Oliver the young man we bought the articles of, I believe, was going to Manchester—Oliver knew him.

Georgiana Stevens's Defence. My brother brought the ribbons to me —the quilt was not on my bed—it hung on a line by the room door—the policeman took his knife from his pocket and cut it down from the line.

OLIVER—GUILTY. Aged 20.
JAMES STEVENS—GUILTY. Aged 18.
} Transported for Fourteen Years.

GEORGIANA STEVENS,
CLARKSON,
WILLIAM TAYLOR,
MORGAN, and
FRANCES TAYLOR,
} NOT GUILTY.

Before Mr. Baron Parke.

763. JOHN MORGAN was *again* indicted for burglariously breaking and entering the dwelling-house of Charles Kirk, about the hour of four in the night of the 5th of February, with intent to steal, and stealing therein, 12 umbrellas, value 3*l.* 10*s.*, the goods of Ebenezer Kirk.

SARAH KIRK. I am the wife of Charles Kirk, and live at No. 17, Gough-street, in the parish of St. Pancras. On Monday, the 5th of February, I went to bed at half-past twelve o'clock—the parlour shutters were fastened, and the window—I got up the following morning, and went out at twenty minutes after seven o'clock, and found the shutters open—I had not been disturbed in the night-time—I found a pane of glass broken in the window, and a dozen umbrellas taken out—they had been safe the night before, within twelve inches of the broken glass—we rent the whole house, but have lodgers.

EBENEZER KIRK. I am the witness's son. On the morning of the 6th I examined the window shutters, and saw a mark near the bottom, as if it had been forced by a chisel—the umbrellas which were taken belong to me—(*looking at some*)—these seven are all my property—I had seen them on the afternoon of the 5th.

Cross-examined by MR. DOANE. *Q.* You lost twelve, did you not? *A.* Yes—I am quite sure these are seven of them—I am an umbrella-maker, and they are my own workmanship—I do not make a great quantity —I get my living by it—I have made a great many in my life-time.

COURT. *Q.* Are they newly made? *A.* Yes—I am positive they are the same as I had on the 5th, as they are my own make, and I know them by the materials—I had only sold one of the same sort before.

MR. DOANE. Q. Why, these are of various sorts, are they not? *A.* Yes, but I only sold one having a peculiar border—five of them have that

peculiar border—I made thirteen, I believe, of the same sort, but never sold but one—I cannot say whether the rest are on my premises now, but I gave my brother two the beginning of January—I have the rest in my possession at home, I am certain—I never parted with more than three with that border.

THOMAS SEAL. I am a policeman. On the 7th of February I went to the prisoner's premises, about eleven o'clock, and searched them—I found these seven umbrellas there, and no more—three of them were in the parlour at the back of the shop; and four, including one with a white handle, up stairs, behind the bed in the front room—they were put into a corner, between the washing-stand and the bed—it was a Waterloo bedstead, which was down—the other three, which were down stairs in the parlour, were between a chest of drawers and a cupboard, in a very narrow space, entirely out of sight till I looked into the nook—they were loose—I asked the prisoner where he got them from—he hesitated a long while, and then said he got them from a man in Petticoat-lane, in the way of trade—his wife said, in his presence, that they occupied but one more room up stairs, and that was an empty one—in about ten minutes the prisoner said there was a room up stairs, partly occupied by himself, and partly by his brother, named Young—he did not say when he got the umbrellas.

Cross-examined. *Q.* Was there not another umbrella in the shop? *A.* There was a very old one indeed—whether it was for sale, or not, I cannot tell—Petticoat-lane is a place where things of this description are sold.

COURT. *Q.* Where was the old umbrella? *A.* At the back part of the shop—it had no handle—that one was not concealed—there are very few shops in Petticoat-lane, but it is a great mart, in the open street—I asked him if he knew the man he bought them of—he said he did not—I asked if he thought he could find him—he said, "No."

MR. DOANE. *Q.* Were not his words, "I don't know whether I shall be able to find him?" *A.* I asked him if he should know the man again, and he said he did not think he should; that he did not know whether he should be able to find him.

GEORGE WILLIAM BALL. I am a policeman. I was present when the umbrellas were found—I have nothing to add to Seal's evidence.

NOT GUILTY.

Before Mr. Baron Parke.

764. JOHN MORGAN was *again* indicted for feloniously breaking and entering the dwelling-house of Henry Lumley, on the 3rd of February, and stealing therein 13 yards of silk, value 1*l.* 4*s.*, his property.

MARTHA LUMLEY. I am the wife of Henry Lumley, who rents a house in the parish of St. James, Clerkenwell—I carry on the business of a ladies' wardrobe-keeper there. On the 3rd of February this silk was put into the window for show—I was sitting in the front kitchen, and, in consequence of information, I went to the front window, and found a pane of glass removed, and missed the silk—it was from twenty minutes after seven to twenty minutes after eight o'clock in the evening,

THOMAS SEAL. I am a policeman. On the 7th of February I found a piece of silk, in a box under the counter, at Morgan's premises—the box was concealed under a quantity of old rags, on the ground—I asked him for the key of the box—he said he had not got it—I broke it

open, and, under some flannel, I found this silk—I did not ask him about it.

(*Property produced and sworn to.*)

NOT GUILTY.

(The prisoner was subsequently convicted of receiving the above articles.—*See Old Court, Monday, March* 5.)

Before Mr. Baron Parke.

765. GEORGE CLARKSON was *again* indicted for stealing a bedstead, value 4*s.*, the goods of Richard Adams; upon which no evidence was offered.

NOT GUILTY.

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766. JOHN MORGAN, GEORGIANA STEVENS, and FRANCES TAYLOR, were *again* indicted for feloniously breaking and entering the dwelling-house of John Darby, on the 27th of January, at St. Sepulchre, and stealing therein 2 shawls, value 2*l.*; 2 frocks, value 12*s.*; 1 shift, value 4*s.*; 1 pelerine, value 8*s.*; 1 pair of cuffs, value 4*s.*; 1 petticoat, value 1*s.*; the goods of Maria Jane Darby: 1 cloak, value 2*l.*; the goods of Elizabeth Ann Darby: 1 cloak, value 5*s.*; 2 table-cloths, value 1*s.*; 1 shift, value 1*s.* 6*d.*; 1 shirt, value 1*s.*; and 1 bed-gown, value 6*d.*; the goods of the said John Darby; upon which no evidence was offered.

NOT GUILTY.

Before Mr. Justice Williams.

767. EDWARD THOMAS and WILLIAM TANN were indicted for feloniously breaking and entering the dwelling-house of Mary Olive Woodman, on the 9th of February, at St. Luke, Chelsea, and stealing therein 1 watch-case, value 16*s.*, her goods.

MARY OLIVE WOODMAN. I am a widow, and follow the business of a watchmaker, at No. 29, Paradise-row, Chelsea. On Friday afternoon, the 9th of February, about three minutes after three o'clock, I was sitting in my parlour, adjoining the shop, and heard a noise in the shop—I thought at first it was a cat—it was like a cat in the window—I went out and looked butcould see nothing—the window appeared quite safe—I returned into the parlour again, and at twenty minutes after three o'clock I went into the shop, and noticed the watches on the right-hand side were moved, and a silver watch-case was taken away out of the window—the pane of glass had been cut some years ago, and puttied across; but I found a small square piece, about two inches and a half square, cut out of it, so that a hand could have been put in to take the watch-case—I have not seen it since—it is worth about 16*s.*

Cross-examined by MR. DOANE. *Q.* You carry on the business entirely yourself? *A.* I do—the glass was quite safe at three o'clock in the afternoon—I have not seen the case since—I saw it safe at three o'clock, and the window also—five watches, which hung on hooks, were pushed aside to get the case.

WILLIAM HIGGINSON. I am twelve years old, and am an errand-boy; I live at No. 1, Paradise-walk. I know the prisoners—I saw them on Friday, the 9th of February, with two others, named Stone and Franklin, in

Paradise-walk—I know Mrs. Woodman's shop—I first saw them about twenty yards from her shop, all four together—the prisoners went to the prosecutrix's window, and Franklin and Stone stood away, about twenty yards from it—the prisoners stood at the window, and I saw them moving the glass with their fingers—I saw the watch-case in Thomas's hand—it was a white one.

Q. How near were you to them? *A.* I was on the other side of the road, and I heard what they said—I was a little further from them than I am from that bench—I heard Thomas say they would have another one a-piece before they went away—they were more than about twenty yards away from the window, with the case—they were opposite the public-house—when they got the case they ran to the other two—the prisoners then came back again to the window, and then went away—they ran up to the other two, and they all four ran away through College-walk together.

Q. When they returned, how near did they get to the window? *A.* They went past the window, and ran to the others, and they all went through College-walk together.

Cross-examined. *Q.* Whose employ are you in now? *A.* Mr. Railton's, of Chelsea—I am his errand-boy—I was not in his service when this happened—I was picking up some cinders for my mother—I have not had any words with either of the prisoners—Thomas used to live next door to me—I never quarrelled with him that I recollect, nor with the other—I do not owe them any grudge.

Q. Did you tell the Justice of what you heard Thomas say about having another one a-piece? *A.* I told it at Queen-square when I was sworn—I do not know whether what I said was taken down—something was read over to me by the clerk—it was an account of the evidence I had given—I signed my name on it—it was the true statement of what I said—(*looking at his deposition*)—this is what I signed.

(*The deposition being read did not contain the statement alluded to.*)

HENRY FRANKLIN. I am thirteen years old, and live at No. 2, Wilderness-row, Chelsea. I used to go to school with Thomas—I have known him three years, and I know Tann also—on Friday, the 9th of February, my father sent me on an errand—I was going in doors, and met the prisoners at the top of Wilderness-row—they asked me to go down to the water-side, to see the lumps of ice—I went with them, and coming back, I saw them go over to the prosecutrix's window—Thomas tried to push a piece of glass in with his finger—Tann was with him—Thomas then took out a knife, and cut it, and then pushed it in—he put his hand in, caught hold of a watch, but could not reach it off—he *shoved* five more on one side, and then took the case, and went and buried it—I saw the case come out of the window—Tann was standing with him at the time—they came up to me and Stone—we were about twenty yards off—I followed behind them, and they went and buried it in Blackman's-lane—they were taken up on Saturday night—I do not know what became of the watch-case.

Q. Did you hear them say any thing? *A.* Yes, I heard them say they would have one a-piece, and five or six more—they were right opposite the prosecutrix's window when they said that—it was after they had got the case.

Cross-examined. *Q.* You were with Stone while they took the watch? *A.* Yes—I saw them go the window, and then I walked away—I did not run away with them to bury the watch—I walked behind—I saw it buried.

Q. Did not you think it was a very bad thing? *A*. Yes—I did not tell my mother of it—when the constable came I told him.

JAMES BRADLEY (*police-constable B* 134.) On Friday, the 9th of February, I met the two prisoners, about twenty minutes after three o'clock in the afternoon, coming from the prosecutrix's house towards Hospital-row—they were about fifty yards from the prosecutrix's—they were in company with Stone and Franklin—I cautioned them, and wished them to go home—I did not see them any more that day—on Saturday, about half-past five o'clock, I took Stone, Tann, and Thomas into custody—I found a penknife on Thomas—I afterwards went with Franklin, and he showed me where he said the watch-case had been buried—it was plain that the ground had been fresh moved—it was enough to conceal a watch-case.

Cross-examined. What has become of Stone? *A*. I believe the bill against him has been thrown out.

MRS. WOODMAN *re-examined.* The case was four or five inches from the window—my shop is in the parish of St. Luke, Chelsea.

THOMAS—GUILTY. Aged 12.
TANN—GUILTY. A ed 14. } Confined Three Months.

Before Mr. Baron Parke.

768. SAMUEL WULFF was indicted for stealing, on the 12th of January, 1 watch, value 10*l.*, the goods of Emma Rogerson.

EMMA ROGERSON. I live at No. 3, Moor-lane. I know the prisoner—he lodged at my sister's, and represented himself as a watchmaker—he is something in that business—he applied to me for my gold watch to regulate it—it was at the beginning of January—I cannot fix the day—it gained, he said it wanted regulating, and applied to me to give it to him for that purpose, and I did—he said he would return it in a few days—I applied to him for it several times, and the excuse was that it was not done, but I should have it as soon as it was—I could not get it back from him, and I did not see it again till I saw it at the pawnbroker's in February.

JOSEPH HARRIS. My father is a pawnbroker in Hackney-road. The prisoner pawned this gold watch with me on the 12th of January in the name of John Wulff—I knew him before—I gave him a duplicate—I asked him if it was his own property—he said it was—he pawned it for 3*l.*—I produce it.

EMMA ROGERSON *re-examined.* This is my watch—my initials are at the back.

JOSEPH DALEY. I am a policeman. I apprehended the prisoner on the 11th of February—I found the duplicate on his person at the station-house.

JOSEPH HARRIS *re-examined.* That is the duplicate I gave him.

(*The prisoner put in a written defence admitting having pawned the watch, but avowing that it was not done with any dishonest motive, but with the intention of redeeming it, and that it was given to him to repair.*)

EMMA ROGERSON *re-examined.* The watch always gained—I showed it to him the day before—he had only seen it once before—he did not keep a shop—I believe he worked for a person in Bishopsgate-street.

NOT GUILTY.

Before Mr. Justice Williams.

769. CHARLOTTE MAY *alias Cooper*, was indicted for stealing, on the 30th of January, 1 cloak, value 12*s*., the goods of John Griffith.

WILLIAM SMITH. I am a shopman in the employ of John Griffith, a pawnbroker. I have known the prisoner about two months, and have frequently seen her at our shop pledging and redeeming articles—on the 30th of January, about four o'clock, I missed a dark olive-green lady's cloth cloak from the outside of the shop—it hung in front of the window for sale—I had hung it up myself about eleven o'clock, and had not seen it after that—I did not see the prisoner at the shop that day—I saw the cloak afterwards at the office, on the 16th of February, in possession of North, who is in Mr. Blackburn's employ.

Cross-examined by MR. PAYNE. *Q*. When did you miss the cloak? *A*. About four o'clock—I had not seen it from eleven o'clock to four o'clock—I had not seen the prisoner at the shop that day, but I had a few days before—I marked the cloak, but the mark has been taken off since—there is no mark on it now.

ARTHUR JOHN NORTH. I am in the employ of Mr. Blackburn, a pawnbroker. On the 30th of January the prisoner pawned a cloak at my master's between six and seven o'clock in the evening—this is it (*producing it*) I am quite sure—I have had it in my custody ever since,

Cross-examined. *Q*. Did you know her before? *A*. Yes, I have seen her several times—I am quite sure she pawned it—we have a good many customers—I recollect her by seeing her again a few days afterwards.

COURT. *Q*. How often had you seen her before? *A*. Two or three times—she came to the shop again two or three days after, both to pawn and redeem—I have not the least doubt of her being the person.

JAMES WELLS (*police-constable S* 22.) I apprehended the prisoner. I found some duplicates at her lodging, and one for this cloak among them—I know it was her lodging—Smith went there with me, and he said he had found her there.

WILLIAM SMITH *re-examined.* I know the prisoner's lodging—I did not know she lived there till the 15th of February, when I went and found her there—we did not discover who took the cloak till we found the ticket at her lodging, under her bed.

Q. How do you know it was her lodging? *A*. I traced her to there when I lost a pair of trowsers, on the 15th of February—I do not know that she lodged there on the 30th of January—(*looking at the cloak*)—I should say this is the cloak—it has the appearance of the one I lost—the silk and all is just the same—I should say it is the same cloak—I am sure of it.

MR. PAYNE. *Q*. Do you speak to any thing more than its being like it? *A*. One of the strings had been re-sewn before it was lost, and that I see here—I observed that when we had it.

COURT. *Q*. Before the cloak was lost on the 30th of January, had there been any string missing, and another put on? *A*. No.

MR. PAYNE. *Q*. Then why say you know it by the string having been sewn on it? *A*. It has been re-sewn since it was made.

COURT. *Q*. But before you lost it from your shop, what had you observed about it? *A*. I observed the cloak altogether—the lining inside, and the string has the general appearance of the same string—there is no-

thing else—I speak to it by the general appearance—I will not swear to it—I know it by the silk inside—it is not usual to have silk sewn in that way, and the cloth is the same quality and the same colour, to the best of my opinion, and the make of the cloak is exactly the same—from its general appearance altogether, I should say it is the same I lost—there had been no fresh strings put on before I lost it—it was in the same state as it is now—the strings are the same now as when it was lost—one has been re-sewn since it was made—I had observed that before I missed it—it attracted my attention when I pinned the private mark on the cloak to the string—taking every thing together, I should certainly say it is the cloak, but I had rather not swear to it being the same.

NOT GUILTY.

Before Mr. Baron Parke.

770. CHARLOTTE MAY, *alias Cooper*, was *again* indicted for stealing, on the 7th of February, 1 pair of trowsers, value 10*s.*, the goods of John Griffiths.

WILLIAM SMITH. I am shopman to John Griffiths, a pawnbroker in Ossulston-street, Somers Town. On the 7th of February I missed two pairs of trowsers, which hung outside the shop—I saw them again before the Magistrate on the 16th.

Cross-examined by MR. PAYNE. *Q.* Where did they hang? *A.* On a sort of board outside the door—they were not fastened—I know them by the private mark inside—(*looking at them*)—I had seen the private mark before they were lost—my master made it, and I know his mark—I had seen them about two o'clock, and missed them about five o'clock—they had not been sold—I was at home all the time—I hung them up at two o'clock—they could not have been sold without my knowledge.

ARTHUR JOHN NORTH. This pair of trowsers were pawned with me on the 8th of February by the prisoner, I am quite sure, in the name of Ann May.

JAMES WELLS. I am a policeman. I was present at the examination of the prisoner—this is Mr. Shutt's handwriting—(*looking at the examination*)—(*read.*)

"The prisoner says, 'I have nothing at all to say, I wish you to show mercy on account of my child.'"

(The prisoner received a good character.)

GUILTY. Aged 31.—Confined One Year.

(There was another indictment against the prisoner.)

Before Mr. Justice Williams.

771. CHRISTIANA WILKINS was indicted for stealing, on the 10th of February, 3 linen cloths, value 8*s.*, the goods of Richard Moore, her master—the prosecutor's name being Richard Moore *Smith*, the prisoner was

ACQUITTED.

Before Mr. Baron Parke.

772. JOSIAH CRAFT and GEORGE CRAFT were indicted for

stealing, on the 29th of January, 30lbs. weight of iron, value 2*s.* 6*d.*, the goods of Thomas Stanley.

HENRY STANLEY. On the 31st of January I went to the shop of a dealer in marine-stores, named Waller, at Edmonton, and found a piece of iron there, which I knew to be the property of my brother Thomas—I had used it occasionally as a tool—it was broken and thrown among some old iron.

JOHN WALKER. I am a dealer in marine-stores, and live at Edmonton. On the 27th of January, after eight o'clock, the two prisoners brought some old iron to my shop—there was 3qrs. 11lbs.—I had seen them before—I cannot say which brought it into the shop—one carried the whole—George Craft put it into the scale—I did not notice that Joseph touched it—he said nothing about it—my housekeeper looked at it and said, "This is very heavy iron"—George said, "You need not be afraid, my brother is a gardener, and it comes from Tottenham High Cross"—his brother was by at the time—he did not point to him, nor say he had brought it—I threw the money on the counter—I cannot say which took it up.

John Craft. I never went into your place at all—where did I stand? *Witness.* At the lower side of the shop—the iron was afterwards given up to the constable.

DINAH SAWKINS. I am housekeeper to Walker. I was present when the prisoners came to his shop—George brought the iron, and put it into the scale—I looked at it, and said, "This appears very heavy iron"—he said, "You need not be afraid, my brother is a gardener, and it comes from Tottenham High Cross"—he did not point out the other prisoner as his brother—master threw the money on the counter—I cannot say which took it up—I afterwards gave the iron to the officer.

George Craft. Her oath is not fit to be taken—she lives with this man, and is a woman of the town.

JAMES FIELD. I am a policeman. I received this iron from Sawkins.

HENRY STANLEY *re-examined.* I can speak to this larger piece—I do not know when I last saw it—we use it as a tool to tier wheels.

JAMES CLARK. I am servant to Mr. Stanley. I know both these pieces of iron as being his property—I know them by using them, and by their general appearance—I saw it two months before it was found, I am certain—I never missed it at any particular time—it was kept in the corner of the yard, among old iron—there is a gate there, but it is very seldom opened—the prisoners have both been in the habit of coming to our shop, and might have gone into the yard—they are labourers at the farming business—it being a cold winter, they came to be warmed by the fire—I saw them there about the latter end of January, both together.

WILLIAM CRAFT. I am the prisoner's brother. I know nothing about this, but they lodged with me for above twelve months—I am a gardener, and live at Edmonton—I work at Tottenham Cross—I know nothing about the iron—I have no other brother a gardener.

JOSEPH CRAFT—GUILTY.—Aged 30. } Confined Fourteen Days.
GEORGE CRAFT—GUILTY.—Aged 19. }

Before Mr. Justice Williams.

773. JOSEPH MOLES was indicted for stealing, on the 3rd of February, 1 hat, value 5*s.*; the goods of Edward Baynton.

EDWARD BAYNTON. I am a hatter, and live at Brentford. Last Saturday three weeks, I missed a hat from my shop, about nine o'clock at night—I had seen it about eight o'clock—I found it on the Monday morning following, at Mr. Burford's, the pawnbroker's.

LOUISA WORDEN. I am sixteen years old. I have known the prisoner about two years—I have not seen him with a hat at any time lately—I had a hat in my possession last Saturday-night three weeks—I cannot say who gave it to me—there were two of them together—I was examined before the Magistrate yesterday—I did not make any mark to what I said—I believe what I said was taken down in writing—I did not see anybody writing.

Q. Were you not taken up about this? *A.* Yes—I was taken on the Monday—I had the hat last Saturday three weeks—I had it between nine and ten o'clock—somebody gave it to me—there were two together—the prisoner is not one of them—yes he was one of them—they were both together at the time they gave me the hat—I do not know who the other man was—I only know the prisoner—the other was quite a stranger—I cannot say which it was that gave me the hat—they asked me if I would take it to Mr. Burford's to pawn—they both asked me—for they did not like to go themselves—I went and got 3*s.* for it, which I gave to the prisoner—I do not know how I came to give it to him.

JAMES CUSHER. I am a policeman. I took the last witness into custody on the 5th of February, and took the prisoner the same afternoon—I told him I took him for taking a hat from the prosecutor—he said he knew nothing about it—I brought him to the station-house—the witness was there at the time—I asked her in his presence if he was the person who gave her the hat, and she said he was—he denied it then, but shortly afterwards he said he gave her the hat near the chapel, in Old Brentford, and that he bought it of a man in the street.

JOHN BURFORD. I am a pawnbroker, and live at Old Brentford. The witness Worden pawned the hat with me on Saturday, the 3rd of February, between nine and ten o'clock.

EDWARD BAYNTON *re-examined.* That is the hat that was stolen from my shop—I know it by the trimming and general appearance—it is a new hat—I have no private mark on it, but it is a show-hat, and I have had it in my hands every day for three weeks.

Prisoner's Defence. I and another one were going into a public-house to have a pint of beer, when a man tapped the other one on the shoulder, and asked if he wanted to buy a hat—he made no answer—I said, "Let us look at it; what do you want for it?"—he asked him 2*s.* 6*d.*—he had not sufficient money—I lent him some, and, going along the street, I got this girl to go and pawn it to pay me.

GUILTY.* Aged 19.—Confined Six Months.

Before Mr. Baron Parke.

774. JOHN SKINNER was indicted for stealing, on the 9th of February, 45 yards of canvas, value 2*l.* 5*s.*, the goods of Thomas Edgington, his master.

WILLIAM WHITE. I am a policeman. On the evening of the 9th of February I was on duty in Clare-market, and saw the prisoner with a bolt of canvas, which I produce—I saw him go into a pawnbroker's with it—he came out again with it, and I took him into custody with the can-

vas—I asked him where he got it—he said he brought it from Mr. Edgington's, in the Old Kent-road, and was going to take it to No. 10, Drury-court, to work up into sun-blinds.

ALFRED EDGINGTON. The prisoner was in my father, Thomas Edgington's service, who is a rick-cloth and sun-blind-maker—his manufactory in Kent-road was burnt down on the 9th of February—the fire broke out about three o'clock in the morning—I gave orders for the goods which were saved to be moved into the prisoner's room—he was employed as a watchman to sleep on the premises, and locked every thing up—among the things saved was a bolt of canvas, which was put into his room—there is no mark on this, as the ticket is gone—I am sure only one bolt was put into his room—he was present at the fire—the canvas was produced before the Magistrate, and I gave the same evidence as I have to-day—I saw the Magistrate sign this examination—I had not sent the prisoner to make the canvas into blinds—I saw the Magistrate sign the paper which I did—(*looking at it*)—my signature is here—(*read*)—

"The prisoner says, 'I took the canvas, but was only going to pawn it—I intended to redeem it when I took my wages at night.'"

Prisoner. I do not wish to say more than is in that paper.

(The prisoner received a good character.)

GUILTY. Aged 36.—Confined Three Months.

Before Mr. Justice Williams.

775. NOAH RADE was indicted for stealing, on the 13th of August, 2 geldings, price 42*l.*; and 1 set of harness, value 8*l.*, the goods and property of James Wilkinson.

MR. BODKIN *conducted the Prosecution.*

JAMES WILKINSON. I am a livery-stable-keeper at Portman-mews. On the 12th of August the prisoner came to my stable, dressed in a livery suit, top boots, and a cockade in his hat—he said he wanted to engage a pair of horses for two months for his master, Colonel D'Essentien, who lived at Norman Villa, and was a sort of ambassador or something of that kind—that he was a very respectable gentleman, and every thing of that kind—in consequence of his representation, I agreed that the horses should be taken next day to the Colonel to be looked at—about half-past eight o'clock the next morning, (Sunday,) the horses were put into a carriage of mine, and I accompanied him down to Norman Villa—I was to have 12*l.* a month for the horses and harness—the carriage was merely for me and himself going in—he was to pay 12*l.* a month for two months—I went into the stable-yard there, and a gentleman came to me—he looked at the horses, and it was agreed that they should be hired on those terms—I noticed a green chariot there—the horses were for that—the prisoner came next day to change the harness for some better, and I gave it to him—that was on the Monday—about a week after I saw him again, and I then asked him if I was to have a month's advance—he agreed to endeavour to get it for me, and I was not to come that week, as he was going away for three or four days, but I was to come on the Monday or Tuesday week following—I went on the Tuesday, and they were all gone from Norman Villa, horses, carriages, and every thing—that was on Tuesday week, about the 21st—the horses went down on Sunday the 13th—the value of them is about 50 guineas—the harness was not in the agreement, but I lent it.

. *Q.* You never got the horses? *A.* No—the gentleman I saw eared like a foreigner— he had rather the air and look of a gentle- had a smart dress, and was a smart made man, with a dark com- -the prisoner was always in livery when I saw him—I have never my horses since, nor of the colonel—I heard that he went over ;, but nothing more, and not that for certain.

EN THORNTON. I am a policeman. The prisoner was given into dy, on the 29th of January, at a public-house in Holborn—I told as charged with stealing a pair of horses and harness—he said he ght, they could not hurt him, he was only servant to the colonel, ad a letter which would prove that he was sent into the country aturday as the colonel left town, and the colonel was to meet him ter—I understood him to mean the same Saturday as the colonel ottage at Fulham.

er. That is what I told him, and that is the truth.

E HOTTS. I am a stableman, and live in Great Chesterfield- I know the prisoner—I saw him on the 4th of August last, and conversation with him—I met him by accident, at Knightsbridge nt into a public-house, and while there he asked me if I was out ation—I said I was—he said he thought he could get me a very ation—I said I should feel very much obliged to him if he could e said he could, and one where I could have a great quantity of two or three, or three or four suits, at least if I could find tailors m from—he said he was in the service of a colonel, but what else know—he afterwards asked me if I knew of anybody that could m with horses—I said yes, I knew plenty that could, but not e circumstances he mentioned—I said I thought it was swindling. y did you say that? *A.* On account of the way he expressed about the clothes—when I said so he would not give me any t that time—after that, we were all the afternoon calling at places he had to go to—I went with him—I did not have any onversation with him till the evening—the last place we left was d-street, and in going across Hyde Park, back to Knightsbridge, first met him, he said that the horses would never be paid for.

w came he to say that? *A.* By my questioning him over and n—he did not say why—he said, could Mr. Wilkinson serve them ses—I said, yes, no doubt, but, as I said before, it was on a system, and I begged of him not to go to Mr. Wilkinson, as I n—he made no answer to that—he did not say he would or he t—I then put him into a Hammersmith omnibus, as he had been , and left him—he appointed to see me next day at seven o'clock ening, but he did not come, and I did not see him again till he stody at Hatton-garden.

. *Q.* Was he in livery when you saw him on this day? *A.* He very then, and when I knew him first.

Q. Was that the same kind of livery as he now wears? *A.* No, ame as he has now—I only saw him this one day—I cannot say he had on the same livery as he has now—it is the same colour d not swear to it—it looks like it—he had a cockade in his hat known him about a year and a half.

. *Q.* What has he been during that time? *A.* He has been in of being a footman, and at one place he was stable-man—he has

been a gentleman's servant in different capacities from the first time of my knowing him—at the last place he was in he was dressed as a footman.

CHARLES GOODYEAR. I am a gardener. I was hired by the colonel at Norman Villa, to keep up the garden, as I had before done for Mr. Carter —I remember the day on which the colonel left altogether—it was Saturday, the 19th of August—I saw the prisoner there that day, and paid him some money about three o'clock in the afternoon—I saw them put the horses to the green carriage to take Madam away—the coachman and the footman went with the carriage—the prisoner was the footman—the colonel was not there then—they went away about four o'clock in the afternoon—I had not seen the colonel for a week before that, I believe.

Q. When you paid the prisoner the money at three o'clock, did he say any thing to you about having to go to Leicester, or any thing of that kind? *A.* No, he did not—I did not see a lady in the carriage, but I think there was one—she was there that day—I saw her, but not the colonel.

ELIZABETH CARTER. My husband is the owner of Norman Villa, Fulham. We let it on the 19th of June last, to Colonel D'Essentien, as we were going abroad for twelve months, and we let it to him for that time, completely furnished—the colonel's name was Frederick D'Essentien—I had repeatedly seen the prisoner there as his servant—he came with them the day they came to look at the house—almost immediately after they got possession we heard they were swindlers, and we did not go abroad, but took lodgings at Hammersmith to be near the spot, and on the 19th of August the colonel left, leaving the servant behind—the policeman took the remainder of the servants to the station-house about eleven o'clock that night—the cook, the coachman, and the coachman's wife—they had some of our property on them—I did not see the prisoner at the station-house, so I supposed he was gone—some of the furniture which was let with the house was pawned in St. Giles's.

COURT. *Q.* Was the prisoner in livery when you first saw him? *A.* As near as possible as he is now only much better.

GEORGE WILLIAMS. I am a solicitor. Messrs. Black and Reading, coachmakers, are my clients—in consequence of a communication they made to me, I accompanied them to Norman Villa, on Saturday, the 15th of July last, and proceeded to take away two carriages from there, which they claimed—the colonel, the prisoner, the female cook, and another man, interfered to prevent us—the prisoner first had a long pole, and then a pitchfork, and the colonel armed himself with a poker; but we succeeded in getting the carriages away—I had been down there the day before, and requested the prisoner to give up the carriages, as I told him they had been improperly come by—he made no answer, but turned on his heel, and shut the door in my face—when I went down the next day, I went to the court-yard, and the gates were forced open; but previous to that three of our men had got over the wall, and the colonel had struck one of them on the head with the poker, and hurt him very much—we then ordered the gates to be forced open, and all the men rushed in—we took the carriages, and, after a skirmish and fight, we hired horses, and brought the carriages to London.

Q. Have you ever heard any thing of the colonel since? *A.* No—I had seen the prisoner once previous—I went down three times—the last time I went I demanded the carriages—he said, "I know nothing about it; the colonel is not here; you may do just as you please."

COURT *to* MRS. CARTER. *Q.* How many servants had they? *A.* Two; but they changed the coachman three separate times—he had two men servants, and never but one female, I think. NOT GUILTY.

Before Mr. Baron Parke.

776. JANE ROBERTS was indicted for stealing, on the 8th of February, at St. Mary, Islington, 11 spoons, value 3*l.*; 1 ladle, value 10*s.*; 1 butter-knife, value 7*s.*; 2 forks, value 15s.; 1 skewer, value 10*s.*; 2 waiters, value 1*l.*; 1 coffee-pot, value 1*l.*; 1 sugar basin, value 5*s.*; 1 milk-pot, value 5*s.*; 2 blankets, value 5*s.*; 1 petticoat, value 2*s.*; 1 yard of carpet, value 1*s.*; and 1 knife, value 1*s.*; the goods of Susan Webb, her mistress, in her dwelling-house: and LUCY ROBERTS, for feloniously receiving the same goods, well knowing them to have been stolen.

SUSAN WEBB. I live at No. 3, Charles-street, Gibson-square, in the parish of St. Mary, Islington. The prisoner, Jane Roberts, came into my service on the 29th of October—she was my only servant—on the 7th of February she came into the drawing-room to me, between eight and nine o'clock, and said my daughter wanted the keys—my daughter was ill in bed—one of the keys opens a cupboard at the bottom of the kitchen stairs, which is a store closet, and a variety of things were kept there—there was plate in it, some tea-spoons, dessert-spoons, two forks, a skewer, and a marrow-spoon, all silver—it was where I kept the plate not in use—I think I had seen it all about a fortnight before—I saw that cupboard that afternoon, and I know it was locked—I had passed it many times in the course of the day—I went to bed that night after eleven o'clock—I looked at the street door, and saw that it was locked and fastened—I called to the prisoner to know if the back doors were fastened—she said, "Yes," and my daughter, who was sleeping in the back parlour, said she had heard her fasten them—the prisoner slept in the front kitchen—about half-past twelve o'clock she came into my bedroom, opened the door very quietly, and said, "Ma'am, don't be frightened; there are thieves in the house"—I did not hear any thing—she said, "Don't you hear them, ma'am? they are going"—I listened, but did not hear the footsteps of any one—I was sleeping in the back parlour on the ground floor—it is an eight-roomed house—I got up immediately, and ran to the top of the house, where I had two gentlemen, lodgers, and called them—she said the thieves had been in the house for some time before, that they had tried her door, and she had heard them a long time—that she went to sleep after their trying her door, and was awoke by their knocking at her door—she thought something had fallen against her door—when I got a gentleman to come down stairs, she went down with him, and at the bottom of the stairs was some linen in a wardrobe, tied up with some soap and candles, and the cupboard door was wide open, with the keys in it, and three boxes pulled out—I said, "Why, they are curious thieves, they have taken nothing"—she said, "Yes, ma'am, they have taken the plate"—I examined the front door, and it was quite fast, and the back doors were both open—the back door leads into the garden—I saw the plate-box standing there empty—it had contained plate not in use, and I did not know she ever knew plate was in that box—she then told me that the plated articles were gone out of the wardrobe, and I found they were gone—I told her I wondered she came out of the kitchen, knowing there were thieves in the back kitchen—I asked her if they were in the back kitchen, and if they had a light—she said she could not tell, that she ran up stairs, expecting to find

us all murdered—the policeman observed some footsteps in the yard, and I observed wet footmarks on the kitchen stairs—the prisoner was without her shoes and stockings, and the policeman observed that whoever had been walking there, was without shoes or stockings—there appeared footmarks in the garden, going out of the house, down towards the wall, but none coming towards the house—they appeared footmarks of only one person—I said I wondered the dog at the next house did not bark—she said, "Probably it was asleep"—there is a gravel-walk in the garden—the policeman said there appeared the footsteps down, but not up, but I did not examine that myself—I kept a little dog a short time before, which was let out of the house about a week before, and, to the best of my knowledge, I saw that same dog in White Conduit-fields afterwards, with its throat cut—there were marks of wet footsteps and naked feet on the stairs.

Q. Did the prisoner ask to go out in the course of that night? *A.* In the course of the night she proposed, as we were up all night, that we should have some tea, and about four o'clock wanted to go out to get milk—I said I could not be so unreasonable as to send her out at that time, but she wished to go, and I allowed her—she was absent an hour—she went out at the front door—the policeman came almost immediately after the alarm, and looked into the garden, and ont he following morning he informed me he had had her in custody before, and then she said she had been to her mother's when she went out in the night—her mother lived close by, about five minutes' walk from our house—she did not say why she had been to her mother's—it was the policeman spoke to her about it.

Q. Do you know of a petticoat being found at the pawnbroker's? *A.* Yes—and she acknowledged to me that she had pawned it, the day after the robbery, and it was found that day or the next—she told me she had taken it to pledge, for her mother was ill—it was my daughter's petticoat—my daughter had missed it in the course of the day, and named it—it is her property, not mine—she is twenty-two years old—I did not miss the carpet till it was brought to my house—my daughter went with the policeman to the prisoner's mother's the day after, and it was brought to me—it was my carpet—I asked the prisoner how she came to cut the carpet—she said she thought it was too large for the room, and her mother wanted a piece to put her feet on—it might be a little too large for the room—I did not miss the blanket till it was found at her mother's, the next day—she said she took it to her mother's—she gave no reason for taking it.

THOMAS HOBBS KING. I am a policeman. On the morning of the 8th of February, between eight and nine o'clock, I was sent for to Mrs. Webb's—(the policemen who were there in the night are not here)—the prisoner Jane opened the door, and let me in—I asked if Mrs. Webb was at home—she said, "Yes"—she asked me into the parlour, and begged me not to say any thing of what had happened before—that was all she said at that time—she did not mention what she meant—Mrs. Webb came into the parlour, and told me about the robbery—I went out and examined the doors—there had been no force used to them, nor was there any marks of violence whatever about any of the doors—I examined the garden, and saw several foot-marks there, but the policemen having been there overnight, I cannot say any thing about them—I afterwards went to the prisoner's mother's house, in John-street, and found a blanket, piece of carpet, and nineteen duplicates—I found several things in the room which I was not certain of, and went and got somebody from the prosecutrix's house to come and look at them—when I came back again I could not see

them—I asked where they were—the mother denied their being there, but afterwards said she had burnt them—I had seen a handkerchief and several trifling things there—I did not find any traces of articles being burnt, but the fire was much fiercer than when I went away—I took the mother into custody, and afterwards the daughter—the mother said she had purchased the blanket for 3*s.* and the carpet for 1*s.* 6*d.*, at a marine-store shop—she afterwards owned that her daughter had given them to her—the daughter denied all knowledge of the plate—she said she had given the blanket to her mother, because she had nothing to cover her, and the carpet she had cut off and given to her mother—the mother at first said she had bought them, and afterwards that her daughter Jane had given them to her—she at first denied her daughter having been there that morning, and said she had not seen her for two or three days before, but she afterwards said she had been out for some milk, and called round there to tell her the house had been robbed, and stopped there an hour, or it might be an hour and a half—I produce the blanket and carpet.

Lucy Roberts. He asked when I saw my daughter last—I said, about half-past four o'clock that morning she came and told me the house had been robbed, and she had come out to buy milk for her mistress's breakfast—that was all I said—he was at my place three times that day, and there was no alteration whatever in the place—I did not know there was any carpet to come against me.

Susan Harriet Webb. I am the prosecutrix's daughter. I was in the room when the prisoner came to tell my mother the house was robbed—I heard nothing of the thieves in the house.

Mrs. Webb *re-examined.* I know the blanket by some darning in it in one or two places—it is my own work—I am certain it is mine—the carpet I have some like—it matches with my carpet.

Jane Roberts's Defence. I am perfectly innocent of the plate—the blanket and carpet I owned to—I had a very bad scald, and when I went home I told my mother, and took her the blanket—she said, "Where did you buy it?"—I said, "Never mind"—she asked where I got the carpet, and I said, "Never mind"—she is innocent.

JANE ROBERTS—GUILTY of larceny only. Aged 23.
Judgment Respited.

LUCY ROBERTS—NOT GUILTY.

Fourth Jury, before Mr. Recorder.

777. THOMAS WHITING and DAVID WOOD were indicted for stealing, on the 14th of February, 3½lbs. of ham, value 1*s.* 9*d.*, the goods of Richard Cook.

William Beck Thorpe. I am a butcher, and live at No. 102, Cromer-street. On the night of the 19th of February I was opposite the shop of Richard Cook, at the corner of Pindar-place, about four yards from the door—I saw both the prisoners go into the shop together—Whiting shifted a piece of ham along the window-board till he got it close to the door—he then came out of the shop with it—Wood stood before him, and could see what he was doing—when Whiting came out of the shop I caught hold of him, and he dropped the ham at my feet—I took him inside the shop, and asked Mr. Cook if he had lost any thing—he said a piece of ham—I said, "Here it is, and here is the *chap* that took it"—Wood was just coming out

of the shop—I stopped him—a policeman was sent for, and they were both taken into custody—I had been watching them for some time.

Wood. I went into the shop for an egg—I had not been with him above half an hour—I came down the street with him, but I did not know he had stolen any thing.

RICHARD COOK. I am a cheesemonger, and live in Pindar-place, Gray's Inn-lane. I remember the prisoners being at my shop about ten o'clock on the night in question—Thorpe seized hold of Whiting just outside the shop, and brought him in—I was very busy at the time, and had not seen Wood—I missed the ham when my attention was called to it, and knew it to be mine when it was produced.

WILLIAM BAKER. I am a policeman. I was in Cromer-street, and heard a cry for the police—I found the prisoners at Mr. Cook's, and they were given into my charge, with the ham.

(*Property produced, and sworn to.*)

Whiting. I did it from want—I had not broken my fast for two days.

WHITING*—GUILTY. Aged 18.
WOOD*—GUILTY. Aged 18. } Confined Three Months.

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778. MARY LANE was indicted for stealing, on the 27th of February, 1 shift, value 3*s.*; 1 boa, value 2*s.*; 1 night-gown, value 1*s.*; 1 collar, value 1*s.*; 1 trinket-box, value 1*s.*; 1 breast-pin, value 2*s.*; 3 yards of ribbon, value 1*s.* 6*d.*; and 1 pair of ear-rings, value 8*s.*; the goods of William Colson.

ELIZABETH COLSON. I am the wife of William Colson, and live at No. 7, Barnsbury-row, Islington. I do not live with my husband—the prisoner came to lodge with me a fortnight ago on Monday, saying she was out of place—in consequence of missing articles on my premises, I asked to see her box, which was corded—she uncorded it for me, and I found in it a boa, a shift, and night gown belonging to me—I sent for a policeman—the prisoner had a bonnet-box, which was afterwards searched, and in that I found a collar—I had missed some ear-rings, which I have since seen in possession of Liddle, the policeman—I also missed a gold pin, some ribbon, and a small box—I had not given any of the articles to her—they are worth 1*l.* altogether—the shift and bed-gown were taken out of my drawer, which was kept locked—she represented herself as a servant—I had lent her the boa once.

EZEKIEL GUMMY (*police-constable N* 88.) I received a shift, night-gown, and boa from the prosecutrix.

JOSEPH LIDDLE (*police-constable N* 270.) I produce a collar, two drops, and a snap—I found the collar in the prisoner's band-box, and the ear-rings I found on the witness Elizabeth Saunders, at No. 4, Charles-court, Strand.

ELIZABETH SAUNDERS. I know these ear-rings—(*looking at them*)—the prisoner gave them to me—I went into a public-house, and sat down by the side of her, and she gave them to me, saying she had found them in the street—I kept them till Tuesday night, when I was taken into custody—I had gone into the public-house to look for a young man who I live with, and was talking with her—I had seen her once before.

Q. Why should she give you the ear-rings? *A.* I do not know—I never saw her but once before, and she walked to Westminster with me—I met

her in a public-house in Leicester-square—it was about three weeks ago—I first saw her in Castle-street, Leicester-square, and we spoke to one another.

MARY HARRIS. I am the wife of William Harris. I searched the prisoner at the station-house, at Islington, on Tuesday, and found on her a little box, a gold pin, and a ribbon.

ELIZABETH COLSON *re-examined.* These are all my property—the pin, ear-rings, box, ribbon, collar, night-gown, shift, and boa—I took the prisoner to be a servant out of place, and thought her respectable—she had lived with a lady in Pulteney-terrace, I understood; and she had lived before with Mr. Snee, in Cloudesley-square—she was to pay me 1*s.* 6*d.* a week, but she had not paid me any thing, as she had no money.

Prisoner's Defence. I was going to return the things to her when I returned the aprons and caps.

GUILTY Aged 18.—Confined One Month.

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779. JOHN ALLEN, JOSEPH WATTS, and WILLIAM ANDERSON were indicted for stealing, on the 14th of February, 1¼ yard of floor-cloth, value 3*s.*, the goods of Thomas Brasher.

THOMAS BRASHER. I am a broker, and live at No. 10, Marshall-street, St. James's. On the 14th of February I missed about a yard and a quarter of floor-cloth from my shop, between five and six o'clock—I had seen Watts and Allen near my shop—I had Allen taken into custody, and asked him what he had done with the floor-cloth—he denied it at first, and afterwards said, if he told the truth, it would be better for him—I told him I had a witness who saw him take it.

Anderson. *Q.* Did you see me with the other prisoners? *A.* I did not myself.

WILLIAM THOMAS ERSSER. I am a japanner, and live in Marshall-street. On the 14th of February, between five and six o'clock in the evening, I saw all the prisoners in company together, with some more, coming down Marshall-street, running from Mr. Brasher's shop—Allen had the floor-cloth on his shoulder—he left it at the gateway of Mr. Hawkins a short time, where they stopped for a few minutes—I went and told Mr. Brasher, and when he came with me they were gone—I am certain Anderson was one of them—I saw them not above fifty yards from the prosecutor's—they were all together—Anderson turned round when the floor-cloth was put in the gateway, and pretended to be playing with some children there, but I am certain he was with them.

ABRAHAM EMANUEL. I am assistant to my father, and live at No. 9, Gee's-court, Oxford-street. On the evening of the 14th of February, Allen came to my shop with a piece of oil-cloth—I asked him why his father did not come with it—he said his father was laid up with the gout, and was obliged to part with it from want—he gave his father's name and address—I gave the oil-cloth to the policeman—it is not worth above 2*s.*—I gave 15*d.* for it—I believed his story to be true—he gave a correct name and address.

GEORGE DAVIES (*police-constable C* 33.) I got information from Allen, at the station-house, that he had sold the floor-cloth in Gee's-court—I went to Emanuel's, who said he had sold it again, and he went and fetched it.

(*Property produced and sworn to.*)

Allen's Defence. It was not me who took it—it was a boy took it, and gave it to me to sell.

Watts's Defence. I had nothing to do with it.

Anderson's Defence. I had nothing to do with the property myself.

ALLEN*—GUILTY. Aged 12.—Confined Twelve Months.
WATTS—GUILTY. Aged 17.—Confined Three Months.
ANDERSON*—GUILTY. Aged 18.—Confined Twelve Months.

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780. STEPHEN LAWRENCE was indicted for embezzlement.

WILLIAM GOODYERE. I keep the Talbot public-house, in Little Chester-street, Pimlico. The prisoner was about six months in my service, and it was his duty to account to me or my son for money he received—I have not received 4*s.* 8*d.* due from Thomas Way, for two weeks' beer, nor 2*s.* 4*d.*; nor have I received 6*s.* 1*d.* from John Roberts—the prisoner never accounted to me as having received those sums.

THOMAS WAY. I live at No. 27, Chester-street, Pimlico, and am servant to Mr. Lambton. I have been in the habit of having beer from the prisoner on my own account—I paid him 4*s.* 8*d.* for two weeks' beer, and afterwards, 2*s.* 4*d.* more, on Mr. Goodyer's account.

JOHN ROBERTS. I am servant to the Rev. Thomas Fuller, of Eaton-place, Eaton-square. I have beer from the prosecutor—I paid the prisoner 6*s.* 1*d.* on the 19th, for beer—it was beer for the house, not for myself only.

WILLIAM GOODYER, JUN. I am the prosecutor's son. The prisoner never paid me these sums, nor accounted to me for them.

JOHN BISSENDEN. I am a policeman. I apprehended the prisoner.

GUILTY. Aged 32.—Confined Six Months.

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781. WILLIAM MORRIS was indicted for stealing, on the 23rd of February, 2 shillings and 1 sixpence, the monies of Edward Abbott, his master.

EDWARD ABBOTT. I am an oilman, and live in St. Martin's-lane. The prisoner was my shopman, and had 30*l.* a year, with board and lodging—on Friday, the 23rd of February, I took eight shillings and four sixpences to Mr. Handford, in the Strand, who marked them, in my presence, with a file, on the edge—it was done with a view to try the honesty of my servant—he was to lay it out at my shop—I went to dinner at half-past one o'clock, leaving the prisoner in the shop to serve—at two o'clock I sent him up stairs, and looked into the till—there was 3*s.* 6*d.* which I had left in it, previous to my going to dinner, and 6*s.* 6*d.* in addition—the 6*s.* 6*d.* was marked—I then went to Mr. Handford, to know what he had spent of the 10*s.*—he said he had given the prisoner eight shillings and two sixpences—I then took an officer, and took him into the dining-room, on the same floor as the kitchen, where the prisoner was at dinner, and called him in—the officer requested him to turn out his money—he put down 15*s.* on the table—I selected from it two shillings and a sixpence, which was marked in the manner in which Mr. Handford and myself had done it in the morning, and I can swear to it.

Q. Are you able to say there was a deficiency in the till, from what the prisoner, in the course of business, would have received? *A.* Yes—I had left

3*s.* 6*d.*, and 11*d.* in halfpence, in the till—I put it down in my day-book, because I would not trust to my memory—the sum in the till ought to have been increased by 9*s.*, which Mr. Handford laid out—I found exactly 10*s.* in the till, 6*s.* 6*d.* of which was marked—there ought to have been 12*s.* 6*d.*—there was 2*s.* 6*d.* deficient, and that was found amongst the 15*s.* 6*d.* the prisoner produced—I produced a bill of parcels to him, which he had given to Mr. Handford—he then saw the thing was so clear he could deny it no longer, and he fell down on his knees, and implored pardon, saying it was the first time he had ever robbed me—he at first said that he had taken no money, but had given change to a woman for half a crown, but there was no half-crown in the till; and if he had done so, that would not account for it; there would still be 2*s.* 6*d.* deficient—I believe it was only in his confusion that he said so.

Cross-examined by Mr. Doane. *Q.* Do you deal in kitchen-stuff? *A.* I do—I do not know how much I had then, nor how much I have now—the prisoner had not given me notice to quit—I did not consider it so—he had used some very improper language over night, but I consider he was in liquor, or he would not have behaved in that manner—he did not give me notice to quit in a regular way—he did in an irregular way—he had only been nine days in my service—he at first said he had not robbed me, he had only changed half a crown—there was a half-crown among the money found on him.

Thomas Handford. I am a trunk-maker. On the 23rd of February I marked eight shillings, and four sixpences, in the presence of Mr. Abbott—I afterwards went to his shop, and purchased four brushes, for which I paid eight shillings and two sixpences, and had 4*d.* change—the prisoner served me—I paid him the marked silver, which he put into the till—he gave me this bill of parcels—(*looking at one.*)

Cross-examined. *Q.* Was the money yours? *A.* No, Mr. Abbott's—he brought it down to me in the morning, about ten o'clock—I did not give him any other money for it.

John Mills. I am a policeman. The prisoner was given into my custody, charged with robbing the till—he pulled out from his fob 15*s.* 6*d.*—Mr. Abbott selected two shillings and a sixpence, which were marked—the prisoner then went on his knees, and begged Mr. Abbott's pardon, saying it was the first time he had ever done it, and he hoped he would forgive him.

Mr. Abbott *re-examined.* I know the marks on the money—(*looking at it*)—I am quite sure of them—Mr. Handford marked them in my presence.

Mr. Handford *re-examined.* (*Looking at the coins*)—this is not one of the shillings—this is one, and this is the sixpence.

Mr. Doane. *Q.* But the shilling Mr. Abbott thought was one is not one? *A.* Mine were marked over the crown—I can only identify two of the coins as having been marked by me—this one I never saw before.

(Mr. Doane, *on the prisoner's behalf, stated that a woman had come to the shop, and sold 20lbs. weight of kitchen-stuff, and not being near the till, he had paid her from his own pocket, and subsequently repaid himself from the till.*)

Mr. Abbott *re-examined.* *Q.* Had the money been produced when he said he had changed the half-crown? *A.* I think not—he produced 15*s.* 6*d.*; and while he was in the act of taking the money out of his pocket he

said he had stolen nothing, he had only given change for half a crown—I said, "What have you done with the money you have taken while I was at dinner"—he said, "I have taken no money," and then he said, "I have taken no money except having given a woman change for half a crown" —I said, "There is no half-crown in the till at all, you can't have changed one"—there was no increase of my stock of kitchen-stuff that day, while I was absent—I have not a cask up stairs that will hold 10lbs.—I will answer for it there was none bought at all.

(The prisoner received a good character.)

GUILTY. Aged 22.—*Recommended to mercy.*—Confined One Month.

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782. THOMAS APPLEBY was indicted for stealing, on the 22nd of December, 3 pairs of trowsers, value 10*s.*; 5 waistcoats, value 7*s.*; 1 hat, value 8*s.*; 1 shirt, value 1*s.* 6*d.*; 1 handkerchief, value 6*d.*; 1 jacket, value 5*s.*; 7 shillings, 2 sixpences, and 3½*d.* in copper monies; the goods and monies of Joseph Thomas Rolfe.

JOSEPH THOMAS ROLFE. I am servant to Mr. Shade, music-seller, Soho-square. I lodged in Hart-street, Grosvenor-square, at the time in question—I had a box in my room, containing my clothes—I missed from it a waistcoat, two pairs of black trowsers, a pair of corduroy trowsers, a handkerchief, and some copper and silver money—I went out, at seven o'clock in the morning, and I did not return till eight o'clock in the evening, when Mr. Neal gave me information—I found a pair of trowsers at Mr. Learey's in Thomas-street, and a hat—I gave the prisoner in charge, owing to what I had heard—he did not lodge there.

THOMAS HARRISON. I am a policeman. The prisoner was given into my custody by Rolfe—the prisoner said to him, "*Joe*, don't give me in charge, I can't get all the things back again, but I will get the money of my mother, and pay for them."

Prisoner. I said no such thing—I said as the things were lost in my mother's place, she would make them good.

PETER LEARY. I live in Thomas-street, Oxford-street, and am a tailor. My mother keeps a clothes shop—the prisoner came to our shop on Friday before Christmas-day, and sold my mother two pairs of cloth and one pair of white drill trowsers, and four waistcoats—about three weeks after the prosecutor came and told us of the robbery, and we showed him one pair of the cloth trowsers—he said they were his—my mother offered them to him for what she had given, but he said they were of no value to him—he did not call again till lately, and we have sold the trowsers to another person—they were all patched—we had sold the other things before he came—I gave the prisoner 18*d.* for the things—he offered a hat for sale at the same time.

Prisoner. They were my own things—one was a waistcoat, which I have on now—I purchased it back with a jacket. *Witness.* I know nothing of his buying any thing back.

WILLIAM FANCOURT. I am pot-boy at the Carpenter's Arms, in Thomas-street, Oxford-street. On the Friday before Christmas, the prisoner came there with a hat on, which he said he wanted to sell—I gave him 4*s.* for it —he said he gave 7*s.* for it in Oxford-street, but it was too big for him.

JOSEPH THOMAS ROLFE *re-examined.* I know this hat is mine, and is one of the articles which were stolen—it was in a hat-box, at the top of the box

—I saw the pair of trowsers at Leary's, which were taken from the box—I missed them on the 22nd of December.

Prisoner. I bought the hat of a Jew, in Oxford-street. *Witness.* I am sure it is the same hat—I have no particular mark on it, but having worn it—I knew the trowsers by the mending—Leary offered me them for what they gave for them, but I thought I would not buy my own property back again.

Prisoner's Defence. I have no more to say, but it is my hat—I bought it in South Audley-street, on Saturday evening, after I had been at work at the Earl of Clarendon's, beating carpets.

GUILTY. Aged 19.—Confined Six Months.

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783. JOHN WEST was indicted for stealing, on the 18th of February, 1 bottle, value 3*d.*; and 1½ pint of wine, value 4*s.* 6*d.*; the goods of Richard Payne Hutchings.

RICHARD PAYNE HUTCHINGS. I keep the Coach and Horses public-house, in Welbeck-street. On the afternoon of the 18th of February the prisoner came to my bar and asked for half a pint of porter on credit—I would not serve him, and just previous to that I had put two bottles of wine on a shelf by the bar—I turned to the bar-parlour, by the fire, and returned in about five minutes, and missed a bottle of wine, the prisoner was gone from the house—about twenty minutes after, I saw him at the corner of the mews, where my house is, and accused him of it—he denied it, and abused me very much—I went to a stable just by, where I knew he was in the habit of going, and in the second stall of the stable I found part of my bottle of wine—I got a witness, and went into the harness-room to see if anybody came to take it, and in about twenty minutes the prisoner came to the stall and took the wine—I seized him, and said, "Then I have got you at last?"—he said, "Yes"—it was red wine in the bottle, the same as I had lost—the flavour was the same as mine, and the mark on the bottle was the same as the other—nobody but him could have taken it, as it was gone momentarily.

WILLIAM CARTER (*police-constable D* 110.) I apprehended the prisoner—he said he was sorry for it, but he had been drinking or he should not have done it.

Prisoner. I did not say I had taken it at all. *Witness.* He said he had been drinking or he should not have done it.

Prisoner's Defence. I had been in the house on Sunday morning at service time, and drank more than I should; and between the morning and afternoon services, I went out to assist the groom, and went to lay down there—the groom pushed me out of the stable, and if I had had a bottle he would have broken it—I then went to another stable where many people go—the door was always open—I went to lie down there in the stall, and the wine laid there—I laid down on it I did not know whether it was wine or beer—I was in the act of drawing out the cork, but I did not do it.

GUILTY. Aged 50.—Confined One Month.

NEW COURT.—*Friday, March 2nd*, 1838.

Sixth Jury, before Mr Common Sergeant.

784. HANNAH BROOKS was indicted for stealing, on the 9th of

February, 1 pair of shoes, value 8*s.*, the goods of Timothy Cove; to which she pleaded

GUILTY. Aged 15.—Confined Two Days.

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785. JOSEPH GARDNER was indicted for embezzling, on the 3rd of February, 20*l.*, received by him by virtue of his employment as servant to and on account of William Pilon, his master; to which he pleaded

GUILTY. Aged 16.—Confined One Year.

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786. EDWARD FOX was indicted for stealing, on the 19th of February, 10 pence, and 58 half-pence; the monies of William Grinstone, his master; to which she pleaded

GUILTY. Aged 15.—Confined Three Months.

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787. MARGARET SUTCLIFFE was indicted for stealing, on the 26th of February, 2 sheets, value 3*s.*; and 1 quilt, value 6*d.*; the goods of William Darnell; to which he pleaded

GUILTY. Aged 23.—Confined Three Months.

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788. HENRY HARVEY was indicted for stealing, on the 10th of February, 1 waistcoat, value 3*s.* 6*d.*, the goods of Thomas Boyce.

EDWARD HENRY OVERETT. I am shopman to Thomas Boyce, of Seymour-place, Marylebone. On the evening of the 10th of February I was called by a girl—I went out, and saw the prisoner with a waistcoat on him—I pursued him—he ran, but I overtook him with the waiscoat on him—this is my master's waistcoat—(*producing it.*)

Prisoner. Did you not come up to me, and accuse me of stealing a waistcoat—I said—"What have I stolen?"—another young man came up, you looked about, and said, "There is the waistcoat," and left me to the other man—you found the waistcoat on the pavement. *Witness.* It was thrown behind you when I came up.

HENRY APTED. I live at No. 9, Richmond-street, Maida-hill, and am a bricklayer. On this Saturday evening I heard a girl cry out, and saw the prisoner going towards Crawford-street—I saw Overett run after him, and I ran after him—when I came up, the prisoner had the waistcoat between his legs, and he threw it behind him.

Prisoner's Defence. I was going along, the man came and accused me of stealing the waistcoat, and he picked it up off the pavement—there were more persons there beside me.

GUILTY. Aged 18.—Confined Six Months.

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789. JOHN CHARLES BROWN was indicted for stealing, on the 2nd of February, 1 gelding, price 30*l.*; 1 cart, value 15*l.*; 1 set of harness, value 5*l.*; and 350lbs. weight of cotton wool, value 20*l.*; the goods and property of John Plummer the younger, and another; and that he had been before convicted of felony.

WILLIAM KING. I saw a horse and cart in St. John-street-road on the 2nd of February, about half-past seven o'clock in the evening—the prisoner

was there with four others—I saw him with a truck—I have since seen a horse and cart—it is the same I saw before—it is Mr. Plummer's, and is the one I saw the prisoner with.

CHARLES RAWLINS (*police-constable G* 93.) I was on duty in St. John-street-road on the 2nd of February, and saw the horse and cart draw up, and a truck close to it—a truss was rolled out of the cart into the truck.

JOHN PLUMMER, JUN. I am the son of John Plummer. I am of the firm of John Wilson and John Plummer, cotton manufacturers, No. 60, Great Tower-street—we had 350lbs. of cotton in a cart our door—the two bales which are outside the Court were in the cart at our door, and while the man was gone to get a man to help him to get them out, the cart and wool were drawn away—it was at our door about half-past five o'clock—the value of the gelding is 30*l.*, the cart 15*l.*, the harness 5*l.*, and the cotton wool 20*l.* the policeman brought the horse, and cart, and harness to our house the same evening—I saw the cotton at the station-house—I do not know who took it.

JOHN BURLEY (*police-sergeant G* 50.) I was in St. John-street-road on the 2nd of February—I saw a cart and horse standing near Sadler's Wells—it had J. Plummer on it—there was no cotton in it at all—I do not know the prisoner—he was not there—I took the horse and cart to the owner.

CHARLES RAWLINS *re-examined.* I apprehended the prisoner for stealing the truck—he had one bale of cotton which was rolled out of the cart into the truck—I took him with it—it was half-past seven o'clock—I showed the cotton to the prosecutor.

Prisoner's Defence. I was coming down St. John-street-road, looking after some work—I saw two men in the cart, and one at the side of the truck—I was coming by—they asked me to help them to get the bales into the truck—I did so, and got one bale into the truck, and we took it up Rawstorne-place, and put it in there—I went and took the other one in the truck—we went on to the corner of Rawstorne-place, and they said, "Stop and have a drop of beer"—the officer came and took me instead of the rest—they ran off. *Witness.* I took the prisoner, who was drawing the truck—he did not tell me, till he got to the station, that others had employed him—he ran off as soon as he saw me, and turned round to strike me.

CHARLES EATON. I produce a certificate of the prisoner's former conviction, from Mr. Clark's office—(*read*)—the prisoner is the person who was tried and convicted.

GUILTY. Aged 18.—Transported for Fourteen Years.

(There was another indictment against the prisoner.)

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790. THOMAS COLLINS was indicted for stealing, on the 7th of February, 1 spade, value 1*s.*; 1 hoe, value 1*s.* 6*d.*; and 1 clinker bar, value 1*s.* 6*d.*; the goods of George Thackrah.

WILLIAM HARVEY. I am carter to George Thackrah, Esq. On the evening of the 7th of February I left his tools at the stoke-hole door of his green-house—these are the things—(*looking at them*)—I did not miss them till after the watchman found them.

JOSIAH FREWIN. I am a watchman of Mr. Thackrah's premises, at Feltham. At ten minutes past six o'clock, on the 7th of February, I stopped the prisoner, with these things on him—he said he found them—I

had seen him go on Mr. Thackrah's premises, and go away with the tools upon him.

GUILTY. Aged 14.—Confined Three Months.

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791. HENRY BUTCHER was indicted for stealing, on the 3rd of February, 1 wine-glass, valne 1*s.* 6*d.*; and 1 shirt, value 6*s.*; the goods of Elizabeth Butcher.

ELIZABETH BUTCHER. I am a widow, and live at No. 5, Charles-court, Strand. I am one of the nurses of Charing-cross Hospital—the prisoner is my son—on the 3rd of February I left him in charge of my room—in the evening I came home, and missed a wine-glass and shirt—I have since seen them—these are them—(*looking at them*)—I have two more children.

WILLIAM GRANT LIDDAMAN. I am an apprentice to a pawnbroker, in Long Acre. I have the glass which was pawned by the prisoner, on the 3rd of February.

ROBERT DUNNELL. I am a pawnbroker. I took in this shirt of the prisoner, for 9*d.*—we knew him, from being sent by his mother—we knew his name, and his mother's.

GUILTY. Aged 14.—Transported for Seven Years.

(There was another indictment against the prisoner.)

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792. JOHN HUMPHREYS was indicted for feloniously receiving, of a certain evil-disposed person, on the 31st of January, 2 feet 4 inches of iron pipe, value 2*s.*; and 1 metal cock, value 3*s.*; the goods of Michael Case, which had been lately before stolen; well knowing them to have been stolen.

MICHAEL CASE. This cock and pipe were stolen from premises belonging to me, at No. 18, Club-row, Bethnal-green—I believe I lost them in the month of December—I have compared the pipe, and find the bend in the pipe exactly corresponds with what was lost—three tenants lived in this house—none of them are here—I am not positive whether I lost it in November or December—I did not put the day of the month down—I am sure it was one of those two months.

Cross-examined by MR. PHILLIPS. *Q.* When will you undertake to say you saw this pipe safe on the premises? *A.* I should say in the middle of November—I saw it again, when it was brought to my house, at the beginning of February—I do not mean positively to swear to it—the pipe and cock are worth 5*s.* or 6*s.*, I should think—I call this iron pipe—it is a water pipe.

COURT. *Q.* It has a bend in it? *A.* Yes—it came in a sloping position from the wall, and we compared it with the leaden pipe—it exactly corresponded, but I will not swear to it—there was no particular mark on it.

JAMES COOK (*police-sergeant H* 7.) I went to the prisoner's house on the 31st of January, and found this iron pipe and cock (*producing them*) in the shop—he is a marine-store dealer—I asked him to show me in his book the entry of it—he said he had no book—in consequence of finding about 250lbs. of sheet lead, and other things, I took him to the station-house, with the property—I did not ask him how he came by the cock.

NOT GUILTY.

Fifth Jury, before Mr. Sergeant Arabin.

793. JOHN GRIFFITHS was indicted for stealing, on the 9th of January, 1 carpet bag, value 2*s.*; and 1 spoon, value 1*s.* 6*d.*; the goods of William Thomas Elder.

WILLIAM THOMAS ELDER. I hold a public appointment in the Ordnance—my country house is at Norwood, in Surrey. The prisoner lived in my service, as gardener—he came on the 3rd of August, and left in September, in consequence of my discharging him for theft—on the morning of the 9th of January my house was broken open and entered, and a variety of articles stolen, among which was this carpet bag—I am certain it is mine—(*looking at it*)—some of the articles I lost were plate.

ELIZABETH ROWLAND. I am housekeeper to Mr. Elder, and lived at his country house, when the prisoner lived there as gardener. I emptied this bag (*looking at it*) on the over night, and left it on my kitchen table, on the 9th of January—the house was broken open in the night, and this bag taken—we missed one plated spoon, three forks, with my master's crest on them—on the morning after the robbery I found a hank, or twist of silk, on the kitchen floor—it was not there when I went to bed—I had seen it before in the prisoner's possession, and my master's coat had been mended with it—I had seen the prisoner use it three times to mend the coat.

JOHN OSBORN KNOTT (*police-constable N* 78.) On Monday night, the 22nd of January, I was on duty at Stamford-hill, and met the prisoner with a bag—I stopped him, and asked what it contained—he said, "Fowls"—I asked him as to his possession of them—he said he bought them at Tottenham, of a farmer of the name of Jones—this is the bag he had with him—(*producing one*)—he gave the name of Thomas Jones.

Prisoner. I had a bag that night, because a man lent it me to bring home the fowls.

Prisoner's Defence. The carpet bag I do not know any thing about—but the man Jones, that I bought the ten fowls of, lent it me, at half-past five o'clock in the evening—I gave no such name as Thomas Jones—I said the man I bought the poultry of was Jones—I never denied my name—my name is Griffiths—I have every reason to believe the man gave me a wrong address—I never was a thief.

GUILTY. Aged 39.—Transported for Seven Years.

(There was another indictment against the prisoner.)

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794. JOHN CLARKE was indicted for stealing, on the 13th of February, 40 hammer-handles, value 7*s.*; 8 hammers, value 14*s.*; 4 screw-plates, value 8*s.*; 12 pieces of wood, value 3*s.*; 2 pieces of iron hooping, value 6*d.*; 1 piece of steel, value 6*d.*; and 5 chisels, value 3*s.*; the goods of Hugh M'Intosh.

MR. CLARKSON *conducted the Prosecution.*

JOHN PASCOE (*police-sergeant T* 19.) On Tuesday, the 13th of February, at half-past ten o'clock at night, I was in the parish of Ealing—I know the road in front of some houses—the prisoner occupied one of them—I observed a van opposite the prisoner's house—there were some goods in it—it was loading—I did not see any articles put in it—I saw

some hammer-handles in the van, and asked the prisoner, who was there, where he got them from—he said, " From Mr. M'Intosh's works "—I knew the prosecutor well, and knew that the prisoner worked for him—I asked if it was all right—he said, " Yes"—I went to Mr. M'Ewen, the agent of Mr. M'Intosh, and from what I heard from him, I returned to the prisoner again, and searched the van, and found in it a variety of tools—I found forty hammer-handles, eight hammers, twelve pieces of wood, four screw-plates, five coal-chisels, a piece of steel, and two pieces of iron hoop—I took the prisoner to the station-house—these are the articles—(*producing them.*)

Cross-examined by MR. PAYNE. *Q.* Was Mr. M'Ewen examined before the Magistrate? *A.* Yes—the prisoner told me directly that he got these hammer-handles from the works.

JOHN M'INNIS. I am one of the superintendents of Mr. M'Intosh. It is his custom to find all the tools used on the rail-way, especially black-smith's tools—the prisoner, who was a smith in his employ, could have no necessity to take these things—Mr. M'Intosh's name is Hugh—it is not the duty of the prisoner, or any one else, to take tools off the premises—Mr. M'Ewen is a superintendent of Mr. M'Intosh's, but he is ill—he was before the Magistrate—Mr. M'Intosh has a great quantity of timber—I have looked at the wood of these hammer-handles—in my judgment they are of the same wood as that on Mr. M'Intosh's premises—there are such articles as these screw-plates in the possession of Mr. M'Intosh—we very seldom make use of coal-chisels, but I believe these to be his property—Mr. M'Intosh had iron-hooping there.

Cross-examined. *Q.* Do I understand that you know any of these things by any marks? *A.* They are not marked—as far as my judgment goes these are his—the prisoner was in Mr. M'Intosh's employ for twelve months—he was discharged on the Saturday before this—we had no further employ for him—I believe he lived at this house at Ealing—we did not want him—I do not swear to any of these things, only as far as my judgment goes—I know what are called jaggers—they use pieces of wood at certain times—it is not permitted for men to take wood off the premises—none get off that I know of—these pieces of iron hoops are worth 6*d.*, and the coal chisels 4*s.*—I do not say that the prisoner might not have hammers and chisels of his own, but it is our rule to find tools for all the hands.

MR. CLARKSON. *Q.* Had the prisoner any authority, or was it the custom of Mr. M'Intosh to suffer any hands to take tools from the work? *A.* No, certainly not—I did not know that he had these things when he went away on that Saturday-night.

(*The deposition made by M'Ewen was read here.*)

" MR. M'EWEN. I live at Ealing, and am agent for Mr. M'Intosh. The prisoner has been working as blacksmith—he was discharged on Saturday—the prisoner was removing his goods—I went with the officer, and found this property—he said the wood he took from the works, but the tools were his own property, but I believe they are Mr. M'Intosh's."

MR. PAYNE *called*

DANIEL REDDEN. I removed the prisoner's goods from Ealing—I removed goods for the prisoner when he went to Ealing—there were tools among his things—I cannot say whether there were hammers and chisels, but I took tools down.

MR. CLARKSON. *Q.* Did you bring down any pieces of wood? *A.* Yes, but not of this description—(*looking at the wood produced*)—I hardly know what a screw-plate is—I do not know what a coal chisel is—I know what a hammer is—I did not reckon how many hammers I brought down—I did not take forty hammer handles.

JOHN PASCO (*re-examined.*) *Q.* Were the tools that could not be identified as Mr. M'Intosh's left out of the indictment? *A.* Yes, there were a great many.

(The prisoner received a good character.)

GUILTY. Aged 34.—Confined Two Months.

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795. JOHN DUDDY was indicted for stealing, on the 6th of February, 1 spoon, value 5*s*., the goods of Martin Sanderson.

HENRY SHUTE. I am waiter to Martin Sanderson; he keeps the Boar and Castle, in Oxford-street, near Tottenham Court-road. The prisoner came there on the 6th of February—he was quite a stranger—he asked for a glass of cold gin and water—I gave it him—he asked for sugar, lemon, and a tea-spoon—I served him with that—I had some suspicion all was not right, and I waited outside the door till he left the room—he came into the passage, and bid me good night—I ran to the table, and found this metal spoon which I now produce, in the glass, in place of the silver one—I ran after him, but lost all sight of him—I am sure of his person.

Cross-examined by MR. PAYNE. *Q.* What makes you sure of him? *A.* I know he is the person—he called for a lemon, and sugar, and a spoon—it is not unusual for people to have lemon and sugar with gin and water to make cobbler's punch of it—I ran after the prisoner, but could not find him—this was on Tuesday evening, about eight o'clock, and I saw him again on Friday morning.

MR. PAYNE *called*

SARAH WHITE. I know the prisoner's house, at No. 51, Bermondsey-road—I remember hearing of his being taken into custody about a spoon, on the Friday—I went to his house on Tuesday the 6th of February, between four and five o'clock, and remained there till ten o'clock at night—the prisoner was there all the time with William Hudson and Elizabeth Horley—I had tea there.

COURT. *Q.* What is your occupation? *A.* Service—I am out of place at present, but I expect to go to a place next week—Mrs. Horley is a lodger of the prisoner's—she takes in washing—I have known the prisoner these four years—he was at Mr. Whitehead's four years back—I got acquainted with his wife four years ago—I have lived in Albany-street with Mr. Savignie—I have been out of place since, but have had employment in needlework—I know the prisoner's wife exceedingly well—I went to tea there—we were talking, and the children together—I did not go away before supper—we had bread, and cheese, and beer—it is a beer-shop—William Hudson and Elizabeth Horley supped with us—upon my solemn oath, the prisoner was not out—he drew the beer—I am looking for a place, and in expectation of going into one next week.

ELIZABETH HORLEY. I lodge at the prisoner's beer-shop, and have done so for three months. My husband is William Horley—I remember the week in which the prisoner was taken into custody—I think he was taken last

Thursday fortnight—before that, I remember Sarah White coming to drink tea—it was on the 6th of February—I think that was the Tuesday week before he was taken—I remember Sarah White being there—I remember having tea—I saw the prisoner there—he was in and out, from the tea-room to the beer-shop, several times, serving his customers—I was in his room from about five o'clock till half-past nine—he was there during that time.

COURT. *Q.* Of course they did not put you into the tap-room? *A.* No, in a parlour—we had tea very comfortably, about five o'clock, or a little after—the customers sat in the front room—his wife attended on us—the prisoner was waiting on the customers—he was in and out during the whole time—we waited on ourselves—we had nothing but tea during the time that I was there—the prisoner might be two or three minutes out of the shop—I cannot say—this beer-shop is in Bermondsey New-road—he was not out for half an hour—he could not have been for an hour—it might have been half an hour—I do not know how many half hours he might be absent.

MR. PAYNE. *Q.* You left at half past nine o'clock? *A.* Yes—I had nothing but tea.

HENRY SHUTE *re-examined.* I had every opportunity of seeing the prisoner distinctly, and spoke to him—I took particular notice of him, and I am sure he is the man.

NOT GUILTY.

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796. JOHN DUDDY was *again* indicted for stealing, on the 8th of February, 2 spoons, value 16*s.*, the goods of Richard Higgins.

ESTHER HUMPHREYS. I am bar-maid to Mr. Richard Higgins—he keeps a tavern at No. 264, Oxford-street, near North Audley-street. The prisoner came to our house on Tuesday evening the 6th of February, about half-past eight o'clock—I am sure it was that evening—he called for a glass of gin and water—I took it to him, and took a German silver spoon with it—in about five minutes he came out of the room and bid me good night—I went in to take the glass away, and a metal spoon was put in the place of my master's German silver one—the prisoner came again about a quarter to nine o'clock on the 8th of February—I was told he was the same man that had been on the Tuesday—he asked for some soup—he did not call for any particular sort—I told him we had none—he called for a mutton chop and mashed potatoes—I served him—he rang the bell, and asked for another chop, and paid for what he had before he ate the second chop—I left with him the tray and a silver table-spoon, which was my master's property—it is worth about 15*s.*—I left that with the first chop—he paid me 1*s.* 10*d.*, and said he was in a hurry—I then saw the spoon was changed, and a metal spoon put on the table in place of my master's—I went and told my master—my master's son came into the room and accused him of it—he rose up, and the silver spoon fell from his wrist—I am sure of that—the metal spoon was on the table—there was no metal spoon there before—I saw the silver spoon fall by his feet—I saw my mistress pick it up—this is it, and this is the metal spoon—(*looking at them*)—I sent for an officer—he came, and took him in the coffee-room.

Cross-examined by MR. PAYNE. *Q.* Who took that metal spoon off the

table? *A.* I do not know—I did not—I went and fetched my young master.

CHARLES EDWARD HIGGINS. I am the prosecutor's son. The prisoner was at my father's house on the 8th of February—I am certain of his person—I went into the room, as a gentleman had given us notice he was the same person that had been in the room on Tuesday—that gave us warning, and we marked the silver spoon that went in—this is the spoon—(*looking at it*)—there was no metal spoon on the tray—my father had no metal spoon of this description—the prisoner said nothing when I accused him of it—he got up, put his hand behind him, and this silver spoon dropped from him.

ISAAC TURVEY (*police-constable C* 74.) I was sent for, and found the prisoner sitting in the coffee-room—I took and searched him—this is the spoon.

CHARLES EDWARD HIGGINS *re-examined.* I took up this metal spoon off the table, and put it into my pocket.

MR. PAYNE. *Q.* Did you say one word before the Magistrate of your taking a metal spoon off the table, that was not your father's? *A.* I did—my deposition was read over to me, and I signed it—I did not tell them they had left that out—I did not notice it.

GUILTY. Aged 28.—Transported for Seven Years.

(The witnesses Sarah White and Elizabeth Horley were committed, by order of the Court.)

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797. GEORGE HOWARD and JAMES MURRELL were indicted for stealing, on the 14th of February, 24lbs. weight of lead, value 5*s.*, the goods of Thomas Bayman; and then being fixed to a building; against the Statute, &c.

JAMES SMITH. I am a baker, living at Old Ford, in the parish of Bow. About twelve o'clock on Wednesday, the 14th of February, I was putting on my coat in the bed-room, and saw the prisoners' hands over the roof of the prosecutor's house—I watched them, and saw them drag a sack over—I ran down, got assistance, went into the field which they went into, and took them with the lead in the sack—I sent for the policeman—I asked them who cut the lead—Howard said two pieces had been cut, and two they cut—I asked for theknife, and he produced a glazier's knife—I asked what induced them to go there—they said they came by the preceding day, and saw two boys up there, and they went that day to see what they had been about.

THOMAS BAYMAN. This house is mine—it is at Old Ford—this lead was fixed on the roof of my house—they took all the lead—I expect I have lost 2¼ cwt. of lead—this is part of the gutters—(*looking at it*)—it was a fixed gutter.

JOHN REVELL (*police-constable K* 176.) This is the lead—I took the prisoners in charge.

JAMES SMITH. I saw this fitted to the roof, and the other piece also—it fits it, and I saw it taken from the roof.

HOWARD*—GUILTY. Aged 14.
MURRELL*—GUILTY. Aged 14. } Transported for Seven Years.

798. WILLIAM BRITTLE was indicted for embezzlement.

CHARLES NORTHFIELD. I am an ironmonger, and live in the Hackney-road. The prisoner was three days in my employ as errand-boy—on the 27th of July, 1836, I sent him with some articles of ironmongery to my customers—he was intrusted to receive money on my account—he had a bill, and was to receive the money—I sent some goods to Mrs. Stock, and he was to go to another person for a debt—I gave the prisoner the bills, both receipted, and he was to bring back the money to me—I sent the goods in a truck—I think it was before dinner—the truck was returned by another boy, about three hours after he went—I never saw the prisoner again till he was at the office, about twenty months after—he was only three days with me—I never received any part of the money.

ANN STOCK. I bought some ironmongery of the prosecutor in July, 1836—I cannot swear whether the prisoner brought them—I gave the money to the lad who brought them, whom I believe to be the prisoner—this is the bill he gave me—(*read*)—"Mrs. Stock—Bought of Charles Northfield, a stove, and other goods, £2 1*s.*—Received, Charles Northfield."

CHARLES NORTHFIELD *re-examined.* This is the bill I sent—(*looking at it.*)

SARAH HAYWARD. I received a bill from Mr. Northfield, in July, 1836—I paid the lad—this is the bill—I gave him the money for it—it is 4*s.* 6*d.*—the boy put his name on it.

CHARLES NORTHFIELD. The prisoner has put his own name to this bill, and here is mine too.

GEORGE KEMP (*police-constable N* 82.) I took the prisoner from information—I told him that I took him for robbing his master of 8*l.* odd—he said it was 2*l.* 5*s.*

Prisoner's Defence. I never received the money for the bill, and never put the name on the bill, as I cannot write—my master knows I cannot.

GUILTY. Aged 18.—Confined Six Months.

OLD COURT.—*Saturday, March 3rd,* 1838.

Second Jury, before Mr. Sergeant Arabin.

799. JOHN SMITH was indicted for stealing 2 pairs of shoes, value 5*s.*, the goods of Thomas Prosser; to which he pleaded

GUILTY. Aged 17.—Confined Six Months.

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800. JAMES BEARD was indicted for stealing, on the 10th of January, 1 copper boiler, value 1*l.*; and 1 bag, value 6*d.*; the goods of Reinder Hanns Sutje; to which he pleaded

GUILTY.—Confined Three Months.

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801. ANN JONES was indicted for stealing, on the 28th of October, 2 gowns, value 1*l.* 8*s.*; 1 cloak, value 5*s.*; 1 shift, value 2*s.*; 2 night-

gowns, value 2*s.*; and 1 table-cloth, value 5*s.*; the goods of Frederick Hatton; to which she pleaded

GUILTY. Aged 37.—Transported for Seven Years.

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802. MARY ANN BARRETT was indicted for stealing, on the 24th of February, 6 shillings, and 3 sixpences, the monies of Joseph Oswald; to which she pleaded

GUILTY. Aged 15.—Confined Six Months.

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803. ANN RILEY was indicted for stealing, on the 27th of February, 1 sheet, value 15*s.*, the goods of Joseph Birchinghead, her master; to which she pleaded

GUILTY.—Confined Three Months.

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804. GEORGE BAKER was indicted for stealing, on the 28th of February, 1 silver watch, value 30*s.*; the goods of Catherine Harris; to which he pleaded

GUILTY.—Transported for Seven Years.

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805. JOSEPH WHEELER was indicted for stealing, on the 9th of February, 1 saw, value 2*s.*, the goods of Samuel Burrows; to which he pleaded

GUILTY. Aged 23.—Confined Three Months.

Before Mr. Baron Parke.

806. JAMES PETTIT was indicted for stealing, on the 26th of February, 1 frock, value 2*s.*; 1 cap, value 4*d.*; and 1 handkerchief, value 4*d.*; the goods of Elizabeth Richard.

(*The prisoner proposed pleading guilty, but appearing not to be of sound mind, upon the evidence of Mr. M'Murdo, surgeon of the Gaol, he was found to be of unsound mind.*)

Before Mr. Baron Parke.

807. THOMAS BAILEY was indicted for feloniously receiving, of an evil-disposed person, on the 27th of January, 33lbs. weight of silk, value 40*l.*, the goods of Edward Fellowes, well knowing it to have been stolen; against the Statute, &c.

MR. SERGEANT ANDREWS *and* MR. CHAMBERS *conducted the Prosecution.*

WILLIAM FISHER. I am warehouseman to Mr. Edward Fellowes, and have been so fourteen years. It is my duty to attend at his place of business in Broad-street every day—I go at nine o'clock in the morning, and we close about six o'clock in the evening—the warehouse is in that story of the house where the kitchen usually is—the counting-house is on the ground floor, and the warehouse is underneath that—it was formerly a kitchen—you go down stairs to it—there is a door leading to it which opens immediately behind the street or passage door of the house—it is a strong door, secured by a strong lock—on going through that door, and going down stairs, you come to another door, secured by two strong locks,

and lined with iron—it is the duty of the porter, at night, to fasten up that warehouse, and he gives the keys to me—I usually go down myself, and put the gas out, and see the warehouse secure—he fastens the door.

Q. Are you able to say whether on the 15th, the day of the robbery, you were in the warehouse? *A.* Yes—I saw every thing perfectly safe about half-past five o'clock—we had some Italian tram silk, some called "organzine," and some called "cadman"—I received the keys from the porter in the ordinary manner, at the close of the day, and put two of them into my desk, in the counting-house, and that of the top lock, belonging to the bottom door, I put into my pocket—the porter does not live in the house, nor do I—I went home, and, about eight o'clock the same evening I heard of the robbery, and went to the warehouse—when I arrived I first saw the housekeeper, who is a man—he is not one of Mr. Fellowes's servants—the house is not entirely occupied by Mr. Fellowes—the upper part is let off—the street door is the common entrance to Mr. Fellowes and the other parties—the street door is closed when we leave the premises—on seeing the housekeeper I went down to the warehouse—I found the top door open—I proceeded down to the bottom door—I found the top door had been opened by a skeleton key, and in the top lock of the bottom door I found a skeleton key—no violence had been used to the bottom door—in my judgment, both doors had been opened by skeleton keys—I examined the warehouse, and missed about 540lbs. weight of silk, worth from 750*l.* to 800*l.*—there was a quantity of each of the three sorts taken, about 3 cwt. of Italian tram, 140lbs. of organzine, and better than 1 cwt. of cadman—I am accustomed to silk—it was bound up in the usual manner, when in our warehouse, as it comes from the throwsters in England—we made the warehouse secure, and left for the night.

Q. Was your porter there when you went at eight o'clock? *A.* He lived at some distance, and after being there a short time I sent for him—I employed myself, during the rest of the night, in ascertaining the extent of the loss, and in giving information of the robbery.

——— RICHARDSON. I have been porter to Mr. Fellowes about six years. I was in the warehouse on the 15th of January, until about a quarter to six o'clock—I left every thing safe—I put the keys on the mantel-shelf in the counting-house—Mr. Fisher was not within then—he came in in about five minutes—I left about six o'clock, leaving every thing safe—I afterwards assisted Fisher in ascertaining the deficiency—his account is correct.

WILLIAM GILBERT. I am a silk-manufacturer, and live at No. 6, Fort-street, Spitalfields. I have known the prisoner for six or seven years—I have known him as a kind of agent, to sell silk about at different parts, and for different people—he did not keep a warehouse, that I know of—I do not think he did—I do not know where he lived—I only knew him by going about the trade—on the 27th of January he came to me about twelve o'clock in the day—mine is a public warehouse—he showed me two samples of silk, and asked me 25*s.* for the tram, and 26*s.* for the organzine—I asked him what weight there was—he said he could not get the tram then, but could get the organzine in the afternoon—he asked me to buy the organzine, and he thought there would be about 32lbs.—I said, "Bailey, is this all right?"—he said, "O yes, I shall not bring any thing but what is right"—he said it belonged to a man who was going to Macclesfield that evening, and wanted the money to go with—he said then that he could

have the tram on Monday, (this was on Saturday,) and I could have it if I thought proper.

Q. When he presented the samples, did he say what quantity there was of each? *A.* He said there were thirty-two lbs. of the organzine and about fifty-two of the tram, but he could not have the tram before Monday—he said he could bring the organzine in the afternoon—I said I should not be in before half-past three o'clock, and he said he would be there at that time.

Q. Had you heard at that time of Mr. Fellowes's robbery? *A.* Yes—I had a bill lying on my desk about it—I said to him, "Bailey, this aynt Fellowes's silk, is it?"—he said, "No, by no means"—he was going out when he mentioned about the 32lbs., and he said, would it matter if there was double the quantity—I said no, I could find the money if it was all right—he then said, "I can cut the cord, and let it into your drawer"—I did not exactly know what that meant, but it gave me some suspicion, particularly as I thought the silk corresponded with that described in the bill on my desk—I had only seen the samples—nothing more passed between us, to my recollection—he said he would meet me at half-past three o'clock, with the silk—I left, and returned at half-past three o'clock, and learnt that he had been there, and left a bag of silk—I did not see the bag before he came in—my daughter, Eliza Farrington, and her husband, keep the house—the prisoner came to his time, at half-past three o'clock—in the meantime I had been to my neighbour Fowler, and showed him the samples, and then went to Mr. Fellowes, and made an arrangement about the officers coming to my house—when the prisoner came in at half-past three o'clock, I said, "Well Mr. Bailey"—he said, "I left the bag in the kitchen"—I said, "Well, fetch it out?"—he did so, and brought it, and put it on the counter, and then two officers came in, took it off the counter, and took the prisoner and the bag—I did not know where the prisoner lived—I heard him give an account of where he lived, but do not recollect the address he gave—I afterwards saw a small quantity of silk produced in a kind of pickle jar—it was Italian organzine—it is like the sample I have, and I think it is the same silk.

Cross-examined by Mr. Bodkin. *Q.* The prisoner would have the opportunity of seeing the bill referring to the robbery, on your desk? *A.* No, he could not, as my desk is mounted up.

Eliza Farrington. I keep Mr. Gilbert's house. The prisoner brought a black bag there—my father was not at home then—it was put into the kitchen—I was not in the kitchen when the prisoner came to fetch it out—when he brought it he asked if Mr. Gilbert was at home—I said no, he was not—I asked him if he was going to leave that parcel, which was the black bag he had over his shoulder—he said, "Yes."

Thomas Theobalds. I am a City Marshal. On Saturday, the 27th of January, I went to No. 6, Fort-street, with Herdsfield—I had seen Mr. Gilbert before that—I waited outside the house with Herdsfield—he was in one part of the street and I at an other—there was no other person with us—I saw the prisoner enter Mr. Gilbert's house, and then we followed—Herdsfield entered the moment before, and I followed—the prisoner was by the side of the counter in the warehouse, and there was a black bag on the counter—I asked Mr. Gilbert what the bag contained—he said it was silk which had been offered to him for sale by the prisoner—this was in the prisoner's presence—I asked the prisoner where he got it—he said,

"It is all right; I received it this morning"—I asked him where from—he said, "From Macclesfield"—after some further discussion, he said he had received it by coach—I then asked him where it was delivered, and he said, "To my house"—I then asked him from whom—he evaded that a little, and then said, "From a person named Ridgway"—I asked him then if he had seen Ridgway—he said yes, he had seen him that morning—I then took him into custody—he made no resistance—we took him to the station-house, and there searched him—I found two cards on him with "James Ridgway, No. 3, Foster-lane" on them—the officer has them—I left him at the station-house, and went to No. 57, Grey Eagle-street, to search his premises.

Q. How do you know they were his? *A.* From Fowler or Gilbert, I think, not from himself—I believe Gilbert and Fowler went there with me—it is a very small house, one story high, and has only four rooms—I saw a woman there—we said we wanted to see Mr. Bailey, and asked her if she had any silk in the house—we told her we had come to search the place—she gave us leave at once—Herdsfield and I searched together, and found some silk—while we were making the search, a knock came at the door—it was opened, and a man came in.

Q. Did that man, without being asked the question, state who he was? *A.* Not till he was asked—his name turned out to be Ridgway, and he was finally taken into custody—we asked him his name, and he said it was Ridgway—nothing between the woman and him had elicited the name of Ridgway—we found some silk in a pickle-jar in a cupboard, and some in a drawer—there was about a pound in the cupboard, and about a pound in the jar—Herdsfield has got it.

Cross-examined. *Q.* The woman was the prisoner's wife, was she not? *A.* I understand she was—the front door of the house was shut till Gilbert knocked—the prisoner's wife was dressing a goose on the table when we went in—the jar was in the cupboard by the side of the fire-place, and the cupboard door was open.

Q. Answer this question, yes or no; when Ridgway came in, did the prisoner's wife complain to him? *A.* Yes.

THOMAS HERDSFIELD. I am an officer of the City. I accompanied Mr. Theobalds to Mr. Gilbert's, on Saturday afternoon the 27th of January—I saw the prisoner enter Gilbert's house—I and Mr. Theobalds went in immediately after, and found the prisoner and Mr. Gilbert there, and there was a black bag on the counter—I did not ask Mr. Gilbert any question, for when I went in I went up to the prisoner—Mr. Theobalds asked the prisoner where he got that parcel from which laid on the counter—the silk was not visible then, it was in a black bag—I put my hand on it—when he was asked about it he said it was all right, that it had come from Macclesfield—he did not say how in my hearing, nor where it had come to—Mr. Theobalds asked him some questions, but I cannot say the exact words, for I told the prisoner he was in my custody, and I took him to the station-house.

Q. Did he mention the man's name from whom he got it? *A.* I think he did say from a person named Ridgway—on arriving at the station-house I searched him, and found on him this silk in his great coat pocket, (*producing it,*) and these cards with Ridgway's name and address, another card with a memorandum on it, a knife, and some waste paper—after taking him to the station-house I went to his residence.

Q. How do you know it to be his residence? *A.* The witness Fowler showed us where it was, and went with us—we found some silk there which I produced—it was loose in a jar, in a cupboard in the room—I found some more silk which does not relate to this case—I also found these two memorandum-books in the house—(*one of the memorandum books being referred to, contained several items of silk, from the 3rd of November*, 1837, *to the 25th of January*, 1838, *headed* "*Mr. Ridgway.*")

Enoch Fowler. I am a silk-dealer, and live in Fort-street, Spitalfields. I know the prisoner lived at No. 57, Grey Eagle-street—on the 27th of January, in consequence of what passed between me and Gilbert, I accompanied him to Mr. Fellowes's—Gilbert had some samples with him—we compared those samples with the stock in the warehouse of Mr. Fellowes—I have no doubt it was the identical silk—I have seen the silk which was found in the black bag, and examined it, and I have no doubt it is part of the same silk as I saw in Mr. Fellowes's warehouse—I pointed out to the officer where the prisoner lived—I saw Herdsfield find the silk in the jar, and that corresponds with the samples I saw, and the loose silk also.

Q. Is there any thing in the tying up of silk when it comes from the throwster, that a man acquainted with silk in this state could at once tell whether the cording has been altered? *A.* Yes, any man skilled in the trade would know it—this is not corded by a throwster—it is not usual to pack silk in bundles in this way—(*looking at that in the bag*)—here is part of a bundle—regular bundles of organzine are square, and tied up in a much more regular way than this, and ticketed—this is organzine, but it is not tied up regularly as it ought to be—it is not in the regular state—(*looking at a bundle brought from the prosecutor's*)—this is in the regular state—it is done in a workmanlike way—the other is not.

Q. On the 27th of January what was such silk worth, fairly to be sold? *A.* I should say 30*s.* a pound—in November, 1837, I think it was something below that—30*s.* was the fair price for organzine silk in January—25*s.* would be too low.

Cross-examined. *Q.* Have you looked at all the silk in the bag? *A.* I have—they are all round bundles.

Mr. Sergeant Andrews. *Q.* Look at the handwriting in the book produced—do you know whose it is? *A.* I believe it to be Bailey's—I cannot swear positively—I have an idea that it is—I have seen him write some years ago—I never corresponded with him—I have had dealings with him some years ago—from the knowledge I have, I believe it to be his handwriting—I believe this entry on the 18th of January to be his writing—(*the entry being read, was,* "18th January. 32 and 33, making 55lbs. 36*l.* 10*s.*")—the square bundle, which is regularly done up, I believe, has been brought from Mr. Fellowes's warehouse—the samples appear to be the same silk, in quality and appearance, as that in the bag—it is a peculiar silk.

Cross-examined. *Q.* If you were going to buy some, should not you have to unpack it to ascertain that the centre part corresponded with the outside? *A.* No—I should pull out a head or two—there is no occasion to open it—any alteration in the mode in which silk is tied does not prevent my identifying it—the quality is not affected.

Q. Could not silk of this sort be subjected to some process, to render it

impossible to identify it by dyeing it, for instance? *A.* Certainly, if it is dyed.

MR. SERGEANT ANDREWS. *Q.* Would it be as valuable dyed? *A.* More valuable.

THOMAS HERDSFIELD *re-examined.* The silk I have produced was from the bag, except the square parcel.

MR. BODKIN. *Q.* Was Ridgway taken into custody? *A.* He was, and I should say he is indicted for receiving this silk—I believe he stands in the list to be tried for receiving silk—I went to Ridgway's place, and found a bale of silk, with a card on it, "Mr. James Ridgway, 3, Foster-lane, Cheapside"—there were marks on it, as if it had been through a carrier's hands, and on the other side a direction to Macclesfield—nobody went to Macclesfield—an officer brought a bale of silk from Macclesfield—he is a Macclesfield officer—I do not know whether goods from Macclesfield come to Pickford's wharf.

JOSEPH BRIDGETT. I am a silk dealer, in Aldermanbury. I recollect selling some silk to Mr. Fellowes—I sold about 140lbs. of organzine on the 12th of December, and another 140lbs. on the 10th of January, both from the same bale—I afterwards saw the silk in the black bag—it was the silk I had sold to Mr. Fellowes—I have no doubt of it whatever—I have some reasons for being positive—it was thrown at a mill I have at Derby—we have not thrown a bale of Italian for about three years like it, and have not since—it is thrown in a peculiar manner.

EDWARD FELLOWES. The silk in the warehouse in Broad-street on the 15th of January all belonged to me—I have examined carefully the different parcels produced from Gilbert's, and found at the prisoner's house—I have compared them with my own silk, and can say most decidedly that it is my silk, and what I lost from my house—I knew nothing of Ridgway previous to this discovery—I have seen the silk found at Ridgway's—it is perfectly different altogether to this—it is tram—it is silk which I claim.

NOT GUILTY.

Second Jury, before Mr. Baron Parke.

808. JAMES RIDGWAY was indicted for feloniously receiving, of an evil-disposed person, on the 20th of January, 100lbs. weight of silk, value 140*l.*, the goods of Edward Fellowes; well knowing it to have been stolen.

MR. SERGEANT ANDREWS *and* MR. CHAMBERS *conducted the Prosecution.*

WILLIAM FISHER. (*The first part of this witness's evidence in the former case, relating to the state of the premises on the night of the robbery, &c., was read to him, which he confirmed.*)

Q. Did you go on Sunday, the 28th of January, to No. 3, Foster-lane? A. I did, and there saw a truss of silk—Herdsfield showed it to me—I examined it—there was about 48lbs.—it was part of what had been stolen—it was Italian tram silk—on the following Tuesday, the 30th of January, I set off for Macclesfield, and went with Stockwin, an officer, to the house of one Hooley; and in consequence of what I heard there, I went to Pickford's warehouse, at Macclesfield, and there found another truss of silk, containing rather better than 50lbs. of Italian tram—that formed part of the quantity stolen on the 15th of January—the two parcels together were

rather better than 100lbs.—I saw the mode in which the parcels of silk were put together—the original cords had been taken off, and others used in their place—they were in larger bundles than the last, and not quite so square.

Cross-examined by Mr. Phillips. *Q.* What day was the prisoner taken into custody? *A.* On Saturday, the 27th of January, and on the 30th I went to Macclesfield, and took Hooley into custody, and brought him to town—he attended at the Mansion-house—I believe he was in custody when he went there, but I did not see him go there—the Macclesfield officer brought him to town, and took him to the Compter.

Q. Did not you see him attended by Counsel at the Mansion-house, as a prisoner? *A.* No, he was not a prisoner, that I know of—I saw two persons, named Sherman, in custody for this offence—I believe I remained all the while at the office—I do not know whether the Shermans were examined as witnesses—it was a man and his son—the boy was not a witness—I do not recollect seeing the boy sworn that day, nor on any day—I do not believe the father was present when the boy was—I saw him afterwards.

Thomas Theobalds. I am a City Marshal. On the 27th of February I went to make a search at Bailey's house, at No. 57, Grey Eagle-street—it was about six o'clock in the evening—the prisoner came in there, and he spoke to a female, and asked to see Bailey.

Q. Did you hear his name mentioned? *A.* The woman mentioned his name—she said, "Ridgway, here is a pretty mess"—I asked him if he had seen Bailey that day—he said he had not—I asked him if he had any dealings in silk with Bailey—he said he had not—I think I asked him if he had any silk to dispose of, and he also said he had not—I asked him for his address—he said, in Grantham-place—I asked him some time after where Grantham-place was—at last he said it was at Hoxton, and he also gave me his own address, "No. 3, Foster-lane"—I asked him if he had any place of business there—he said he had not—I asked him if he had any drawers, or counters, or any place there—he said no, he had not, he was merely an agent for Mr. Mills and Mr. Henwood.

Q. Do you know who occupies the house in Foster-lane? *A.* It is let out in counting-houses—Mr. Henwood has got a warehouse there—he was speaking of that Mr. Henwood—I did not tell him he was my prisoner till after this conversation took place—I then told him he must be my prisoner—he said he was respectably known to Mr. Pearsall and to Mr. Rain—while I was taking him down to the station-house in Spitalfields, he asked me whether it was any thing relative to Mr. Fellowes's robbery—I made no reply—I did not satisfy him on that point—on the following morning I went to No. 3, Foster-lane, with Herdsfield, and saw Mr. Henwood there—on my saying I had Ridgway's keys, he showed me the back attic at the top of the house—he opened it—I do not think it was locked—it was not furnished—it was merely fitted up with a scale and a kind of counter and board to put the weights on—there were no drawers—it was merely supported by a trestle—they were very large scales, and weights corresponding—such scales as would weigh a pretty bulky quantity—there were eleven parcels of sewing-silks, and some other silk on the ground, which I brought away—that was a truss of silk with a card attached to it—it had been opened and sewn up—(*looking at it*)—this is the card—it was sewn on the canvas, and was in this state when I took it off—I sent Herdsfield for

Fisher, and when he came he took out part of the silk and identified it—I gave the truss to Herdsfield, and he brought it away—the house is near the church in Foster-lane, very near Cheapside—the name of Ridgway was on the door-post next the street.

Cross-examined. *Q.* Was it not Grantham-terrace he said he lived at? *A.* Yes—I found that correct—I went to No. 3, Foster-lane, on the 28th—at that time the prisoner was in custody—this robbery had made considerable noise in the City—particularly among the silk people—large placards were posted all over the walls, offering £200 reward, from the 16th—it was perfectly notorious, from the 16th, that this robbery had been committed—I was at the Mansion-house when this case was gone into—I remember the two Shermans, father and son, being in charge—they were afterwards examined as witnesses, and kept in custody to give evidence—they are in custody now.

MR. SERGEANT ANDREWS. *Q.* Were they examined against the prisoner, or against others? *A.* Against others.

MR. PHILLIPS. *Q.* Were there any others in custody? *A.* No—when they were examined, there was nobody in custody but Ridgway and Bailey.

MR. SERGEANT ANDREWS. *Q.* Were they examined in reference to any one person in particular? *A.* No—they were examined touching the robbery generally—Ridgway had not been committed then.

THOMAS HERDSFIELD. I have some silk, which I found at No. 3, Foster-lane—this was the bale of silk which I showed to Fisher.

WILLIAM HENWOOD. I am a warehouseman, and live at No. 3, Foster-lane. I let the top back-room of my house to the prisoner—it is three stories high—he had had it not quite three months when he was apprehended—I never employed him in business—not as an agent, nor in any way—he came to the apartment every day—he did not sleep there—I remember the Sunday when Mr. Theobalds and Herdsfield came—the room I showed them was the apartment used by Ridgway—this appears to me to be the truss of silk found there.

Cross-examined. *Q.* When the prisoner left in the evening, who did he leave the key with? *A.* He generally left it with me—he either locked it himself, or left it unlocked—nobody could go into it after he left without our knowledge—I could go in of course.

Q. Could not anybody else, who had a warehouse in the same house, go in? *A.* Not without somebody knowing it—only myself and Mr. Mills have warehouses there—he never left the key with Mr. Mills—he frequently left it with me—I did not do business in his room myself—I never deposited any goods there—I have a warehouse of my own on the second floor.

EDWARD APSLEY STOCKWIN. I am an officer of the Macclesfield police. On the 1st of February I went to the house of the witness Hooley there, and in consequence of what he said to me, I went to Pickford's warehouse, and there found a truss of silk, which I produce—it has been opened since I found it—when I found it, there was a direction on it which I took off, and produce—it is "Mr. Jas. Ridgway, to be left till called for"—I took Hooley into custody before I found the bale, when I first went to his house—I brought him up to town in custody.

Cross-examined. *Q.* Hooley was kept in custody a considerable time, I believe? *A.* He was—I took him to the Mansion-house in custody,

and he was attended there by counsel—I took him there as a prisoner, and after that he was examined as a witness.

ABRAHAM HOOLEY. I live at Macclesfield. I have known the prisoner ever since he was a boy—I was in London in October last, and saw him then—I am a dealer in silk, and silk-waste, and I also follow the business of a tailor.

Q. What passed between you and Ridgway, in October, about purchasing any thing? *A.* He said he had met with a friend who had advanced him a considerable sum of money, and he should have silk to sell at times, such as he could not use—that he was commencing manufacturing, and should have silk which he could not use—I told him I should have no objection to take any thing that would do for me—I afterwards saw him in Macclesfield.

Q. In January this year, did you receive any thing from him? *A.* Yes—on the 18th of January, a bundle of China and Italian silk came to me by the *Defiance* coach—I received a letter on the 25th—this is it—(*looking at one*)—I believe it is the prisoner's handwriting—I have seen him write a little—after six o'clock that evening the package was delivered by the porter from the coach-office—when I opened it, I found it contained Italian tram—I did not weigh it—I suppose it to be the weight stated in the letter, 48lbs.—I consider it about that quantity—I only examined it superficially—I then packed it up, and re-directed it, and sent it back about an hour and a-half or so after I got it—I sent it back by the *Defiance* coach, which it came by—I believe this is the direction, and the card I put on it when I returned it—(*looking at it*)—I sent a note inside the parcel, addressed to Mr. Ridgway—that letter did not explain why I sent it back—on the 30th another parcel came to me, corresponding nearly in size with the other—it was packed in canvas, like the other, and addressed to me—I do not know the handwriting of the direction—I just merely opened the head of it—it was silk—I thought it was the same as I had returned come back again, and I sent it to Pickford's van-office the same hour—I carried it to the office, which is very near my house; and supposing it came from Ridgway, I just merely wrote on it, "Mr. Ridgway, till called for"—this is the paper I wrote—(*looking at it*)—I sent it for the purpose of being at Pickford's when inquiry was made for it.

Q. After this, did you hear something about this from Stockwin's application to you? *A.* Yes—the bundles were brought to town, and I was brought with them, by Stockwin—I was examined at the Mansion House as a witness—I arrived in London on the Saturday evening, and was detained till Monday, at noon—I was released on Monday.

Cross-examined. *Q.* After being admitted as a witness, you were allowed to leave town? *A.* Yes—I was first a prisoner on this charge—it was on the 30th I received the package which I thought was the same I had sent back—the first was on the 25th—I sent that back the same day—Macclesfield is 167 miles from town—I believe the card to be the direction I sent, but I am not sure of it—I am a dealer in silk and silk-waste, and also a tailor—I did not forget that when I said I was a dealer in silk and silk-waste—I had no motive for not naming it.

Q. Pray, Mr. Hooley, have you given us all your trades? *A.* Yes—all that I am now, not all that I have been—I was a little in the cotton-waste, and I had a little manufacturing of silk, and I had a dyeing concern—nothing else—I was never a silk-weaver nor a throwster—I have been a

class-leader among the Wesleyans—I was never suspended for six months by them—I was never suspended at all—I understand the question—this was the first time I was ever taken into custody on any occasion—I was never taken into custody, except on this occasion—I mean to swear that—nor was I ever suspended—I believe I have given you all my trades—I am quite sure of it—I swear I never was any trade except those I have mentioned—I was in partnership in the dyeing trade, with one Pyett, four or five years ago—I have not left the tailoring—I do not keep a tailor's shop—I carry on the business in my own house—I have a shop behind, out of sight of the street—I have a room which I put the silk-waste in, and the tailoring likewise—I have men under me.

Q. Is anybody here to whom you gave the parcel directed to Mr. Ridgway till called for? *A.* No—I have been to Macclesfield since I was examined—I expected I should have had a letter or something from Ridgway, and that was my reason for sending the parcel to Pickford's, to be kept till called for.

JOHN BRAY. I am porter at the Swan with Two Necks in Lad-lane. I know No. 3, Foster-lane—it is in my district for the delivery of parcels—I have driven my horse and cart up to the door with parcels for the prisoner—I recollect taking one there on the 27th of January—Mr. Ridgway's goods generally came by the *Defiance* coach—I do not know whether that package did so—I believe that package was taken into the house by James Smith, the man who goes with the cart—I should know the direction again—(*looking at it*)—to the best of my knowledge that is the direction, by the pencil mark on it—the package was a similar one to the one produced—the lad brought the ticket down signed for me, to call again for the money.

JAMES SMITH. I go with the cart driven by Bray, to deliver parcels—I remember taking a package to Foster-lane—I do not recollect whether it was on Saturday—I did not get the money for it—I was to call again—the package was delivered at Ridgway's, No. 3, Foster-lane—I carried it myself up two pairs of stairs—not to the top of the house—the ticket was signed and given back to me, and I gave it to Bray—this is something like the bale I took—(*looking at the one produced*)—I cannot tell whether it is the same.

Cross-examined. *Q.* Do you remember the day of the month that you took the parcel? *A.* No.

MR. CHAMBERS *to* JOHN BRAY. *Q.* What time in the morning of the 27th did you deliver the parcel? *A.* As near as I can guess, about half-past ten o'clock.

EDWARD FELLOWES. I am the owner of the silk lost. I have examined the two parcels of silk, the one from Pickford's and the other from Foster-lane—I have no doubt they are part of the silk which was stolen from me.

JOHN STEWART. I am a clerk in the London and Westminster Bank. One Ridgway kept an account there—I do not know the prisoner personally—I do not remember that I ever saw him.

Q. Is that letter (*the one received by Hooley*) the handwriting of your customer, Ridgway? *A.* I have paid cheques with the same signature as this, but I never saw the prisoner about them.

WILLIAM HENWOOD *re-examined.* I know the prisoner's handwriting—this letter appears like his handwriting—I have seen his writing once or

twice—it looks like his—I have seen his handwriting before—it appears to be his—I cannot say further.

COURT. *Q.* Have you any belief on the subject—have you seen him write? *A.* I have seen his writing, but I have not seen him write—I have not corresponded with him.

Q. How have you seen his writing? *A.* I have received from the hands of some person a letter from Mr. Ridgway, and the writing was so bad, I cannot say positively whether it is the same—I have not seen enough of his handwriting to enable me to form a judgment about it—he has told me he kept his money at the London and Westminster Bank—I have had one or two cheques of his—I think I have received one from him—he has not told me at what branch of the bank he keeps his cash.

JAMES STEWART *re-examined.* We have only one Ridgway banking with us in Throgmorton-street, his name is James—we have five branches in town, and I cannot tell whether he kept cash at any branch—(*The letter was here put in and read.*)

"To Mr. A. Hooley, Park-green, Macclesfield.—Dear Sir, I now send you, as under, by Defiance coach, and shall have about 400lbs. of tram and organzine; the parties I have it from are about making a stop; but I have given a large price for it, as you will see; but it is all a regular lot. The price I have given for the tram is 25*s.* I ought to have 25*s.* 6*d.* for it. If if you can allow me any more do; it will want making up again. I shall send you about 100 more to-morrow night. Please let me have the cash up by return of post, directed for me—I want it for Saturday morning. Your answer will oblige JAMES RIDGWAY."

"London, 24th January, 1838.—Mr. Hooley bought of James Ridgway 48 Italian tram, at 25*s.* 6*d.*—61*l.* 4*s.*—Settled. JAMES RIDGWAY."

MR. FELLOWES *re-examined.* The silk produced is Italian tram—the bands have been changed—it is not now packed in a regular manner.

GUILTY. Aged 32.—Transported for Ten Years.

First Jury, before Mr. Common Serjeant.

809. SARAH RYAN and THOMAS RYAN were indicted for stealing, on the 19th of February, 4 pence, and 4 halfpence, the monies of Elizabeth Woodward, from her person.

ELIZABETH WOODWARD. I am a widow, and live in Battle-street, Commercial-road. On the 19th of February I was near the Pavilion theatre—I had some money in my pocket—I went there about half-past six o'clock, and was standing in the avenue, going in—I had five pence and four halfpence in my pocket, loose—I lost them—I do not know how, but they were taken out of my pocket—one penny was left—there was a very great crowd there—I saw the female prisoner near me—she did not appear to press against me.

Cross-examined by MR. PHILLIPS. *Q.* How were you dressed that night? *A.* I had the same things I have on now—I had a cloak on—I went into the theatre after I was in the crowd, and had seen the female prisoner—I went to see the performance—after getting into the theatre I saw the prisoners come in—I had the same gown on I have now, and my apron on, and a pocket—there was a very great crowd—I had not spent any money after I left home—I live a very short distance from the theatre.

GEORGE TROTTER. I am a watchman at the London Docks, and live

in Knight's-court, Tenter-street, St. George's. On the evening of the 19th of February, I was going to the theatre, and saw the female prisoner with her left hand on the person of Mrs. Woodward, and she handed some copper coin from her person to the male prisoner—I have not the least doubt about it—shortly after, directions were made to move on, as the barrier was clear, and we went into the pit; and as soon as I got into the pit I saw Mrs. Woodward there, and spoke to her.

Cross-examined. *Q.* Did not one of the prisoners tell you they had changed a sovereign at a public-house? *A.* No, not me—I heard them say afterwards that they had changed it at a public-house for some gin—I did not go to see if that was true—what I have told you I saw is true.

EDWARD CLEMENTS. I am a policeman. I searched the male prisoner—I asked him what money he ought to have about him—he said 13*s.* or 14*s.*—I found 1*l.* 8*s.* 6*d.* in silver, one half sovereign, and one shilling, and three farthings in copper money.

Cross-examined. *Q.* Did you go to the public-house to ascertain whether either of the prisoners had changed a sovereign? *A.* I did make inquiry, in consequence of one of them saying so—I went to the public-house they named to me—I did not find that there had been change given there—I did not tell Trotter I was going to the public-house—I cannot recollect that I did—I will not swear I did not—I have not heard what Trotter swore—I saw nothing of the transaction.

NOT GUILTY.

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810. SAMUEL WULFF was indicted for stealing, on the 6th of February, at St. Matthew, Bethnal-green, 1 watch, value 10*l.*; 1 neck-chain, value 3*l.*; 1 locket, value 5*s.*; and 1 watch-key, value 5*s.*; the goods of Eliza Lawes, in her dwelling-house.

ELIZA LAWES. I am a widow, and live in Felix-street, Hackney-road. The prisoner lodged at my house—on the 6th of February I lent him my gold watch, with a gold chain, locket, and key, attached to it—the watch is worth 10*l.*, the chain 3*l.*, the locket 5*s.*, and the key 5*s.*—I lent it to him to show to a lady named Reynolds—he returned it to me the same evening—we went to prayers, and after prayers I left the room, leaving the watch on the table—next morning, between seven and eight o'clock, I went up stairs, and the watch was gone, and the prisoner also—I saw him again about nine o'clock the same day, and asked him for the watch—he said he had not seen the lady the day before, and he had taken it to Mrs. Reynolds to lend to her—I had him taken into custody, and the watch was produced—it is my dwelling-house, and is in the parish of St. Matthew, Bethnal-green.

SARAH ANN REYNOLDS. I know the prisoner—he never showed me the watch, nor did he leave one with me at any time—I know nothing about the watch.

JOSEPH HARRIS. I am a pawnbroker. I produce the watch and chain which the prisoner pawned on the 8th of February for 6*l.*

Prisoner's Defence (*written.*) I was born in Denmark, of Jewish parents, who apprenticed me to the business of a watchmaker. I invented a vessel to move upon the waters without the aid of steam, masts, or sails. The model which I constructed was greatly admired, and I was advised to visit some of the cities on the Continent, in order to dispose of

the invention. Lord Oxsted and Marshal Haugh gave me this advice. I visited Gottingen, when Professor and Hoffraad Gaus, and Dr. Stern, strongly recommended me to come to England. At Hanover Professor Hausmann, and Lord and Minister Wish, gave me the same advice, as did also Secretary Simson. I also visited Cassel, where Professor Henshell, Professor Rothschild, and Sir F. Breithaupt reiterated the same. I accordingly came over to this country, between two and three years ago, and found myself an entire stranger. I had not been more than a fortnight in London before I had all my papers stolen from my pocket; but, providentially, I saved my money upon that occasion. After being some time here, without any prospect of succeeding in disposing of my plan, I determined to return to my own country, and set off, with intention of taking shipping at Liverpool; but, passing through Oxford, I obtained employment from a David Cohen, a Jew, as a watchmaker. I ultimately set up in business for myself; and, during the time I remained there, was converted to the Christian faith, and was baptised there in the month of May last, by the Rev. Mr. Champneys, the present rector of St. Mary's, Whitechapel. I found I could not get on in my business, and was at length arrested, and confined in Oxford Castle for debt, at which place I took the benefit of the Insolvent Debtor's Act in November last. I returned to London, and obtained assistance from the "Society for promoting Christianity among the Jews." My invention was still uppermost in my mind, and I at length met with a party with whom I entered into treaty for the disposal of the same, which treaty was to have been ratified, upon highly advantageous terms, the very day after I was taken into custody upon the present charge. I throw myself into your hands. My character, up to the present time, has been without a blemish. Even Mrs. Lawes, the prosecutrix, must do me the justice to acknowledge that it was without complaint. I freely admit having pledged the property, but do most solemnly avow that it was not done with any dishonest motive, but simply to enable me to carry on the negotiation to which I have alluded; and with the full determination to redeem them immediately upon the same being brought to a conclusion. With respect to the manner in which I became possessed of the watch belonging to Mrs. Lawes, I borrowed it from her to show to a customer, and on the same evening I supped with Miss Rogerson and a Dr. Gerstmann in her apartments. Previous to supper she excused herself, on the ground of indisposition, and went to bed, leaving the watch still in my possession, as either of the two latter individuals could testify, so that it is wrong to say I took it from the table.

GUILTY. Aged 26.—Transported for Ten Years.

(*See page* 701.)

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811. WILLIAM THURLOW and THOMAS POMFRET were indicted for stealing, on the 10th of February, 2 tea-caddies, value 7*s.*; 1 sheet, value 2*s.*; and 1 umbrella, value 2*s.*; the goods of Thomas Edwards.

THOMAS EDWARDS. I live in Mount Pleasant-lane, Clapton. On Saturday morning, the 10th of February, the policeman called me up—I examined my premises, and missed two tea-caddies, a sheet, and a candlestick—these are my articles—(*looking at them*)—I have no mark on the sheet—my house was not fastened up, and whether the things were taken from the house or garden I cannot tell.

JOHN MURPHY. I am an officer. On the 10th of February, while on duty at High Hill-ferry, Clapton, between one and two o'clock in the morning, in company with another constable, I stopped the prisoners, with the articles produced in their possession—Pomfret had the large tea-caddy, and Thurlow the small one.

Cross-examined by MR. PAYNE. *Q.* Did you have any conversation with them? *A.* Yes—it was Thurlow spoke—Pomfret said very little.

(*Property produced and sworn to.*)

(The prisoner Pomfret received a good character.)

THURLOW—GUILTY. Aged 15. } *Recommended to mercy.*
POMFRET—GUILTY. Aged 14. } Confined Three Months.

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812. ANN SMITH was indicted for stealing, on the 16th of February, 1 tea-pot, value 2*s.* 6*d.*, the goods of John Masheder Cording; to which she pleaded

GUILTY. Aged 27.—Confined One Week.

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813. WILLIAM SMITH was indicted for stealing, on the 19th of February, 1 truck, value 20*s.*, the goods of George Coe.

GEORGE COE. I live in Sydney-street, Mile-end. On Monday evening, the 19th of February, about five o'clock, the prisoner came to my shop, and asked me to lend him a truck—he said he was living in Meux-street, which is within 200 yards of my house—I let it to him for two hours, but he never returned it—I found it in Hampstead-road, opposite the Reservoir—I had suspicion, and my son watched him from the place he took my truck from—the truck found is mine—I did not find it myself.

Prisoner. I borrowed it for two hours, and before I had it an hour and a half, it was taken from me by the policeman—I refused to give it up, saying I had borrowed it for two hours. *Witness.* He was to pay 3*d.* an hour.

ALFRED COE. I live with my father. I was present when the prisoner hired the truck, for two hours, about five o'clock—I followed him—he went up Charles-street, Hampstead-road—I saw there some people round it—I went and asked them, in his presence, if he had offered it for sale—no reply was made—I told the prisoner he had hired the truck—he said not him, but the other—I said no, it was him—he took hold of the handle, and wanted to drag it home to my father—he took it a short way, then threw down the handle, and ran away—I ran after him, and hallooed, "Stop thief"—he was caught in Charles-street, by two gentlemen—the policeman came up, and I gave him into custody—I do not know that he was trying to sell it—I could see the people examining it.

Prisoner. Q. Did I offer it for sale in your presence? *A.* I did not hear you.

JOHN JONES. I am a policeman. I saw the prisoner drop the handle of the truck in Hampstead-road, all at once, and run—the witness turned round, and called, "Stop thief" after him—the prisoner ran down Charles-street, and was stopped by two gentlemen—I took him, and he said, "It was not me that had the truck, it was the other one"—at the station-house Alfred Coe said he had hired it for two hours—the prisoner said, "If I did, it is now seven o'clock, the two hours are hardly up yet."

JAMES RICKETTS. I live in Charles-street East, Hampstead-road. The prisoner and another person, named Creighton, brought down a truck to me, about seven o'clock in the evening—(Creighton had called in the morning)—the prisoner helped to bring it—I suppose he brought it for sale—

he did not ask me to buy it, but said it was a very good one, and there was a place for a dog to drag it—Coe came up and claimed it.

Q. Had Creighton said any thing to you in the prisoner's presence about it? *A.* He only showed it to me—I supposed I was to buy it—I did not say any thing about buying it—I never made a bid for it—Creighton said, in the prisoner's presence, that he wanted a sovereign for it.

Prisoner. I never heard any thing about a sovereign being asked. *Witness.* I am sure the prisoner was present at the time Creighton asked.

Prisoner's Defence. I borrowed the truck for a certain time—they should have waited till that time was up.

George Coe *re-examined.* He does not live where he gave me the address—he was not known there.

GUILTY. Aged 23.—Confined Three Weeks.

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814. WILLIAM LAURENCE was indicted for embezzling and stealing 14*s.*, which he had received on account of George Henry Tolly, his master.

George Henry Tolly. I live in Bouverie-street, Paddington. The prisoner was in my service—on the 2nd of January I sent him with 5cwt. of salt to Mr. Cook, which came to 14*s.*—he never paid me that money—he absconded.

James Symons Cook. I am a baker, and deal with Mr. Tolly. On the 2nd of January some salt was brought to me, with a bill for 14*s.*, which I paid—I cannot say the prisoner is the person I paid it to—the receipt was signed when he brought it.

Mr. Tolly *re-examined.* When I sent him with the salt, I gave him this bill and receipt, which Mr. Cook has produced—he ought to have returned to my house that day.

Prisoner's Defence. I took the salt, but received no money for it—I delivered the bill, but tore the receipt off it.

Mr. Tolly *re-examined.* A little boy went with him, who brought the truck back—I only gave him one receipt for the money—the receipt is not torn off the bill.

Mr. Cook *re-examined.* No bill was produced to me but the one I have brought here.

GUILTY. Aged 19.—Confined Six Months.

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815. JOHN WILLIAMSON and JOHN BROWN were indicted for stealing, on the 10th of February, 1 pig's head, value 2*s.*, the goods of Walter Lloyd; to which

WILLIAMSON† pleaded—GUILTY. Aged 16.

Transported for Seven Years.

Walter Lloyd. I am a butcher, and live in Berkeley-street, Clerkenwell. About two o'clock on Saturday, the 10th of February, I was in my parlour, and received information—I ran out, and found Williamson in the hands of the officer, with a pig's head in a bag—it was mine—Brown was brought up by a policeman, about a minute afterwards.

Andrew Collard. I live in Albemarle-street, Clerkenwell. On Saturday afternoon, I was at the corner of Berkeley-street, and saw the two prisoners walking up and down—I saw Brown take the pig's head off the prosecutor's show-board, and give it to Williamson, who put it into the bag—he was secured.

Brown. I was not taken for a quarter of an hour—I did not take the head. *Witness.* I am quite sure he took it.

ANTHONY BOGGIES. I saw Brown take the pig's head off Mr. Lloyd's shop-board, and pass it to Williamson—I followed and helped to secure him.

Brown. I was coming down Wilderness-row, a boy said, "There goes one of them"—the witness turned round and said to the policeman, "I think that is one of them that took it." *Witness.* I did not say so.

Brown. The policeman said, if he did not say I took it I should get off. *Witness.* He did not.

Brown's Defence. I did not take it—I had been looking for employ, and was coming down towards John-street, when a boy said, "There goes one of them," and the gentleman collared me.

BROWN†—GUILTY. Aged 16.—Transported for Seven Years.

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816. WILLIAM KING was indicted for stealing, on the 26th of February, 3lbs. weight of fish, value 6*d.*, the goods of John Crookson.

JOHN CROOKSON. I am a fishmonger, and live in Praed-street, Paddington. On the 26th of February, in consequence of information, I ran out of my shop, and saw the prisoner running with a sack, I ran after him and hallooed, "Stop thief," up two or three streets—he was stopped, and a sack was handed up from an area—I had not seen him throw it there, but it was the same sack as I had seen across his shoulder—it contained half a fish.

SARAH CROOKSON. I am the prosecutor's wife. I saw the prisoner take the fish, put it under his arm in a sack, and walk away with it—I called my husband and showed it to him.

Prisoner's Defence. I was going down the street, somebody hallooed "Stop thief," and a person laid hold of me till the mob came up.

GUILTY.* Aged 20.—Confined Six Months.

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817. THOMAS PLUMMER was indicted for stealing, on the 17th of February, 1 pair of trowsers, value 3*s.*, the goods of George Kirby, since deceased.

JAMES DAVIS. I live in Northampton-street, Cambridge-road, and am servant to a gentleman in High-street, Whitechapel. On the 17th of February, I was standing at his door, next door but one to Mr. George Kirby's, and saw the prisoner snatch the trowsers from the door, fold them up, and give them to another boy, who walked away about three yards, and then ran away as hard as he could—I am certain the prisoner is the boy—it was about a quarter before eleven o'clock at night, and in about half an hour he came into Mr. Kirby's shop again, and looked at another pair of trowsers—the policeman came and asked me if that was the boy—I said, "Yes," I can swear to him, I am quite sure of him.

Cross-examined by MR. PAYNE. *Q.* Had you ever seen him before? *A.* No—I had spoken to the policeman before I saw him again, and the policeman came and asked me about him.

JAMES YOUNG. I was shopman to George Kirby, who is now deceased. I missed a pair of trowsers about a quarter to eleven o'clock on the evening in question—Cuthbert, the other shopman, called me outside the shop afterwards, and I saw him and the prisoner outside—I waited while he showed him a pair of trowsers—he went in to show them, and according

to the description Davis gave, we suspected him, and sent the policeman to fetch Davis, who came and identified him directly—the trowsers have not been found.

WILLIAM ARNOLD. I am a policeman. I was sent for, and took him into custody—Davis was positive of him—I asked him several times—he said he was quite sure of him—I found 14*s.* on him at the station-house.

MR. PAYNE *called the following witnesses.*

THOMAS SAWKINS. I am a truck-maker, and live at Hoxton. The prisoner has been six years in my service, and was so on Saturday night, the 17th of February—he left me at ten or a quarter-past ten o'clock that night—I did not pay him his wages till then—he had 1*l.* from his club and 9*s.* from me—he went to get a pair of boots which he had ordered close by me—my house is half an hour or three quarters of an hour's walk from Whitechapel-road—I never saw any thing bad in his character—his father and mother live in King Edward-street, Mile-end, about a mile and a half from my house.

MARY ANN VAUGHAN. I am in the employ of Mr. Sawkins. On Saturday night, the 17th of February, I left his house with the prisoner, and walked with him—when we got into Shoreditch it was twenty minutes after ten o'clock by the church clock—he had a pair of boots or shoes under his arm; and when we came into Brick-lane, Hanbury's clock went half-past ten—I left him at the corner of King Edward-street, where his parents live—it was then turned twenty minutes to eleven o'clock—he was then going home.

——— PLUMMER. I am the prisoner's mother. I remember his coming home on Saturday night, the 17th of February, about ten minutes before eleven o'clock—he had a pair of boots with him, which he tried on when he got home, and after eleven o'clock he went out—he did not tell me what he went out for—I saw nothing more of him till he was in custody.

NOT GUILTY.

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818. JAMES MURRAY was indicted for stealing, on the 23rd of February, 3 pewter pots, the goods of William Hidden.

CHARLES ALLIS (*police-constable C* 5.) Between seven and eight o'clock in the morning of the 23rd of February, I was on duty in Grosvenor-mews, and saw the prisoner take these three pots out of a dung-heap, where they were buried — when he saw me coming he walked away, and dropped two of them on the stones—I stopped to pick them up—he walked away at first, and after he dropped the pots he began to run—I called, "Stop thief"—a man was coming down, and stopped him—I took him into custody, and found a pint pot in his hat.

WILLIAM HIDDEN. I keep the Hole-in-the-Wall public-house in Grosvenor-mews. These pots are all mine—I have lost a great many—I never saw the prisoner on my premises—I have seen him about the neighbourhood—I send beer down to the stables in the yard.

GUILTY. Aged 24.—Confined One Month.

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819. SARAH HAYFIELD was indicted for stealing, on the 12th of February, 2 frocks, value 12*s.*; 2 sheets, value 6*s.*; 1 night-gown, value 2*s.*; and 4 handkerchiefs, value 5*s.*; the goods of William Stodgell.

WILLIAM STODGELL. I keep the Red Cross at East Smithfield. These articles belong to me—the prisoner lived at my house as servant for six

weeks—on the 12th of February I missed the property stated—I can swear to these sheets by marks—(*looking at them*)—they must have been taken when my wife was ill in bed, and dying.

SARAH STODGELL. I am the prosecutor's daughter. I know these articles all belong to my father—we missed them about the 12th of February.

Prisoner. Q. Did not you give them to me to pawn? *A.* No, I did not—I never authorised you to pawn any of them.

Prisoner. She gave me part of them to pawn, and the sheets I took of my own accord.

JAMES WILLIAMSON. I am a pawnbroker. I have produced the articles—I took the frock in of the prisoner—I do not know who pawned the sheets and other articles—I gave duplicates for the articles—she pawned the frock in the name of Smith—the other things were pawned in the names of White and Hayfield.

DANIEL JACKSON (*police-constable H* 114.) I searched the prisoner—the duplicates were given to me by the prosecutor's son—they correspond with the articles produced—I charged the prisoner with taking them—she was found coming out of the house with a bundle containing four handkerchiefs and other articles—she acknowledged pawning some of the articles, and said an acquaintance pawned the rest.

GUILTY. Aged 24.—Confined Six Months.

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820. CHRISTIANA WILKINS was indicted for stealing, on the 10th of February, 3 linen cloths, value 8*s.*, the goods of Richard Moore Smith, her master.

ANN SMITH. I am the wife of Richard Moore Smith, and live at. St. Luke's, Chelsea. The prisoner was in my service—on the 10th of February I missed three linen cloths, which are now here—these are mine—(*looking at them.*)

MARY CORNISH. I was sent for by the inspector to search the prisoner at the station-house—I found one towel on her, under her left arm—her mistress found the other on her.

JOSEPH SMITH. I am a policeman. I have a linen finger-cloth which I found in the prisoner's box.

ANN SMITH *re-examined.* They are all our property—this happened on Saturday, the 10th—I sent her out on errands—we always keep the gate locked in the evening, and she said she wanted to go and get a boot-lace—she went, unlocked her box, and came up with something under her things—I said, "What have you there?"—she said, "A white apron"—I said, "What have you under it? let me see"—I took her, and found she had these things concealed—the tray cloth was in her pocket—she must have unlocked the wardrobe to get it.

NOT GUILTY.

NEW COURT.—*Saturday, March 3rd,* 1838.

Fifth Jury, before Mr. Recorder.

821. THOMAS DEXTER was indicted for embezzling, on the 8th of November, 1*l.* 6*s.* 3*d.*; and on the 27th of January, 15*l.* 5*s.*; which he

had received as servant to, and on account of John Bridges and another, to which he pleaded

GUILTY. Aged 37.—Confined Twelve Months.

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822. JOHN SULLIVAN was indicted for stealing, on the 26th of February, 14lbs. weight of lead, value 2*s*., the goods of William Lucas; being fixed to a certain building; against the Statute, &c.; to which he pleaded

GUILTY. Confined Three Months.

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823. GEORGE BISS was indicted for stealing, on the 14th of February, 1 pair of shoes, value 1*s*. 6*d*.; the goods of John Winser.

JOHN WINSER. I live at the Red Lion, in Jermyn-street. On the afternoon of the 14th of February I was in the tap-room—the prisoner came in—there was another soldier there—I saw the prisoner carry a bundle out under his arm—upon that I rose up, and saw my shoes were gone—I had put them in one corner of the tap-room—I spoke to the policeman in consequence, and he took the prisoner—these are my shoes—(*looking at them*)—I can swear to them—I saw them in the handkerchief which the prisoner was carrying—the prisoner said he gave a pot of beer for them.

JOHN SCOTT. I live at No. 17, Little Grosvenor-street. I was at the Red Lion and saw the prisoner and another soldier there—I saw these shoes in a handkerchief which the prisoner was carrying under his arm when he was taken—it was a light coloured handkerchief that the prisoner carried out of the house, and the shoes were found in a light coloured handkerchief—it appeared to me to be the same.

Prisoner. *Q*. What time was it when you saw me come out? *A*. There was no clock in the room—I said between four and five o'clock, but it must have been before four o'clock, because it was ten minutes after four o'clock when I gave the policeman information of the robbery—the prisoner was not taken till ten minutes before five o'clock.

Prisoner. *Q*. Did you not say I was not the person? *A*. I said at first I was not certain, but when I got you to the gas-light I said, "You are the person," and the policeman will prove it.

WILLIAM WHEATLAND (*police-constable A* 33.) I met the prisoner in Castle-street, Leicester-square, with a bundle under his arm, and stopped him in consequence of what I had heard—in this handkerchief which he was carrying were these shoes—he said he gave a pot of beer for them in the Monmouth Head.

Prisoner. *Q*. Did not the witness say I was not the person? *A*. At first he expressed some doubt, but on a full look at him he was positive he was the man.

Prisoner. *Q*. Did he not say it was between four and five o'clock when I went out with the bundle under my arm? *A*. He did.

Prisoner's Defence. I was on parade at four o'clock, and I came off about ten minutes or a quarter past four o'clock—I went into the Monmouth Head—there was a soldier and two women—he had this pair of shoes—he said, "Do you want a pair of shoes?"—I said, "I don't care, I will give you a pot of beer for them"—he took it—I put them into my handkerchief, and came out to Leicester-square, and who should meet me there but the policeman and the prosecutor.

—— SENT. I am a sergeant of the Coldstream Guards. The prisoner was on parade at four o'clock on the 14th of February, and quitted from ten minutes to a quarter past four o'clock—the parade was at St. George's barracks, Charing-cross, not a quarter of a mile from the Red Lion in Jermyn-street—it takes us every night from ten minutes to a quarter of an hour to dismiss—there would be no difficulty in the prisoner being at Jermyn-street at a quarter past four o'clock—I have known the prisoner about five years—his character has been exceedingly good in the regiment—he was never under any charge of dishonesty.

JOHN WINSER *re-examined.* *Q.* How came you not to mention to the companion of the prisoner that you had lost your shoes, when you missed them? *A.* I did—I told him I had lost a pair of shoes—he went with us, not at the moment, but in about five minutes.

JOHN SCOTT *re-examined.* *Q.* Have you not said that you remained a considerable time after the prisoner went out? *A.* Five or ten minutes—I have not said that I waited three quarters of an hour, but it was three quarters of an hour before he was taken—I have not the least doubt about this man—it was not three minutes' walk from the barracks where the prisoner was taken—the other soldier, and I, and the prosecutor went after him.

Prisoner. The other soldier was at Queen-square, but he is not here—his name was Braham.

—— SENT *re-examined.* I am not able to say whether Braham was on parade.

NOT GUILTY.

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824. JOHN WOODINGTON was indicted for stealing, on the 21st of February, 1 bushel of split beans, value 4*s.*, the goods of William Jupp, and another; and WILLIAM REEVES for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.

MR. BODKIN *conducted the Prosecution.*

HENRY JUPP. I reside at Brentford, and am a coal and corn-merchant. I have one partner, who is my brother William—the prisoner Woodington was in my service, and had been about ten years—he was decidedly a confidential servant—I had a person of the name of James Syms—he had been about six months at the wharf, and about two years in our employ at the farm, which is about three miles off—on the 21st of February Syms was sent out with a cart to Southall, between four and five o'clock—I was not at home—I had some information given me on Thursday (the next day) at Uxbridge; in consequence of that, I had Syms taken into custody—I asked him a question, and he told me something—in consequence of what he said, I had Woodington taken—after he was in custody I said to him, "How came you to give Syms the beans?"—he said if he did it was a mistake—I said, "There was no mistake about your receiving the money for them"—he said he had received no money—after that he was brought into Syms's presence—I then said to Syms, "How much money did you give *Dick?*"—(Woodington went by the name of *Dick*)—Syms then said, "*9d.*"—Woodington then said he had said he had not received any thing, but he had received *9d.*, and what he said before was untrue—nothing was said about what the *9d.* was for—my beans were kept in a granary, and on the wharf—all the men have access to the granary—if any beans were to be given out it would be

Woodington's duty to look to it—Syms would have no authority to take them out without my orders or Woodington's, but he could do it.

Cross-examined by Mr. Doane. *Q.* There was a variety of grain in this place? *A.* Yes, of course—this was Wednesday—there was a quantity of goods sent out, of various descriptions of corn—that would be given out by Woodington—large quantities would be given out on Wednesday, and it would be Woodington's duty to give it out.

Mr. Bodkin. *Q.* Was there any business that would require bushels of beans to be sent out? *A.* There were bushels of beans, no doubt—I have no dealings with the White Hart.

James Syms. I have come out of the gaol of Newgate. I was committed to be tried for this offence—I was in the service of the prosecutor on the 21st of February—I had that day to go with some things to Southall, with the horse and cart—about three o'clock in the afternoon I had to take two bushels of malt, two pounds of hops, half a sack of flour, half a sack of barley-meal, a sack of bran, two bushels of oats, one bushel of beans, and a peck of oats—I had to take some of these things to Hanwell, and some to Southall—among other things, I took a bushel of beans, which Woodington gave me—he gave me most of the other things—some I took off the landing myself—before I loaded the cart, I said I had no money—(my master gave me money to pay the gate)—Woodington said he would give me a bit of corn if I knew what to do with it—I did not want that to pay the gate, but to buy me a pint of beer on the road—I said I thought I did know what to do with it, and he got the corn—it was nearly a bushel of split beans in the bottom of an old bran sack—I cannot say who put them in the cart—he gave them to me—nothing more passed between us then—I went off—I went first to Hanwell, and then to Southall—I went to the White Hart, and saw the ostler, which is the prisoner Reeves, about five o'clock in the afternoon—I told him I had got a bit of corn in the cart, if he knew what to do with it—he said he did—we then went in doors to have a pint of half-and-half, and he came out and took it away out of the cart—nothing was said about the price—he gave me 1*s.* 6*d.* after we came out of doors—he had taken the beans out—I did not see that he opened the sack—I did not tell him what the sack contained—I told him it was a bit of corn—I then came back to my master's place—I gave Woodington 6*d.* out of the 1*s.* 6*d.*, and the next morning gave him three penny-pieces—I paid twopence for the half-and-half, which a man gave me where I went to, and Reeves put 1½*d.* more—Mr. Stevens's wife gave me the twopence—I told Woodington I had got 1*s.* 6*d.* for what he gave me, and he should have half—he did not say any thing.

William Warboy. I live near the White Hart, at Southall, on one side of the house, and am constable of the parish. I remember being at home on Wednesday, the 21st of February, about five o'clock in the afternoon—I noticed a horse and cart—it was Mr. Jupps's cart—Syms was driving it—the cart came and stopped just against my window, six or seven yards off—the ostler, Reeves, came from the stable up to the cart, and spoke to Syms—Reeves looked into the hind part of the cart, and Syms got out of the cart—they then both went into the backdo or of the public-house which leads to the tap-room—Reeves came out after they had been there five minutes—he got up into the cart, and took a sack out—I noticed Mr. Jupps's name on the sack—it appeared to me to contain about a bushel—he went across, and took it into his stable—Syms was in the house—he came out

again, and Reeves came from the stable up to him—I saw Reeves put his hand into his pocket, but their backs were to me, and I could not see whether he gave him any thing or not—they stood talking about five minutes, and then Syms got up into the cart and drove off—I went to the Red Lion at Southall that evening, and spoke of it.

Cross-examined by MR. PAYNE. *Q.* You did not tell Mr. Jupp any thing? *A.* I did not—I was not standing, but sitting at my window, which was shut—the cart was from six to seven yards off—it was about five o'clock in the afternoon—there were no other carts there that I saw—Wednesday is a busy day with the ostlers—about twelve o'clock a good many carts come there—it was a regular sack, like a malt-sack—I thought there was about a bushel in it—I could not tell—I could see Mr. Jupp's name on the sack, quite plainly—it was in the bottom of the cart—I once had a few words with Reeves, but we have been friendly ever since.

EDWARD SCOTNEY (*police-constable T* 29.) I was present when Woodington was questioned by Mr. Jupp—he was asked if he had given Syms any corn—he said he had not—after Syms made his confession, Woodington said if he had given him any, it must be a mistake—I did not hear him asked about money—I took Reeves into custody on Friday, and asked him if he had received any corn from Mr. Jupp's man on the Wednesday—he said he had not—he said he did not know any of Mr. Jupp's men.

NOT GUILTY.

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825. THOMAS HICKMAN was indicted for stealing, on the 15th of February, 852 bottles, value 4*l.*, the goods of Apsley Pellatt, his master.

HYAM ISAACS. I am a bottle merchant, and live at No. 25, Francis-street, Tottenham-court-road. On the 12th or 13th of February I saw the prisoner—he produced three or four patterns of glass phials and bottles, and asked if I would purchase them—he asked 10*s.* a gross for the draught phials, 7*s.* a gross for the small ones, and 10*d.* a pound, or 2*s.* a dozen, for the squares—he was to bring them in a day or two—he said he was a glass dealer, and dealt in medical things, and so on—he came to me on the 15th of February, and brought these bottles, which I said I would purchase—I bought thirty-six dozen, and three-quarters of the draught phials—I bought the small ones also—I paid him, and he gave me a receipt for the money—he had other bottles, which I did not purchase—I gave the prisoner into custody when I had purchased the goods—a friend of mine, who is an extensive dealer in glass, came into the shop, and as I do not like to buy of strangers, I asked this person if he knew the prisoner—I found that he belonged to Mr. Pellatt.

Cross-examined by MR. PHILLIPS. *Q.* Did he give you two receipts? *A.* Yes, he did—these are them—(*producing them*)—he wrote them in my presence—they are signed with his own proper name, as far as I know—I had known him for about twelve months—he had sold me things once or twice before, but then I thought him an honest man—I had known him about twelve months before, by his calling with patterns at my place—I had dealt with him about twice within the last twelve months—I might have bought of him four times—it was only two or three shillings' worth.

THOMAS SUMPTER (*police-constable* 43.) The last witness, Isaacs, gave the prisoner into my custody—the prisoner gave me an account of the

goods he had sold to Isaacs—he told me he had bought them of a stranger, but he did not know his name—I asked if he knew where he lived—he said, "No;" they were brought to his house—I found at Mr. Isaacs a basket containing bottles—I found on the prisoner this paper—(*producing one*)—and the two receipts were given me by Mr. Isaacs—I also received from Mr. Isaacs two quantities of phials.

Cross-examined. *Q.* I believe you went to the prisoner's house? *A.* I did—he told me his address himself—I found his address was correct—(*receipts read*)—

"February 15, 1838. Mr. Isaacs bought of Thomas Hickman.

67 Dozen of phials	7*s.*	£1	1	7
33 Ditto	9*s.*	1	4	9
10 11-12 Squares	21*s.*	1	5	8
		£3	12	0

"Paid Thomas Hickman."

"February 15, 1838. Mr. Isaacs bought of Thomas Hickman.

2 Gross, 1 dozen, and 8 phials	9*s.* . .	£1	4	6

"Paid Thomas Hickman."

"February 15, 1838. Mr. Isaacs bought of Thomas Hickman.

36¾ Dozen phials	6*s.*	£0	18	4½

"Paid Thomas Hickman."

HYAM ISAACS *re-examined.* He had written one receipt, which he did not give me, because he thought I was going to buy more than I did buy of him.

GEORGE WEBB. I am in the service of Mr. Apsley Pellatt, a glass-manufacturer, in Holland-street, Blackfriars. The prisoner was formerly in his service—he returned to his service on the 29th of January last—he was a book-keeper in the chemical department—I am in the manufacturing department—I produce three moulds of phials—I have two moulds of the phials manufactured by Mr. Pellatt—the other mould relates to the squares—(*looking at the phials and bottles produced*)—I should say these were blown from these moulds—I have no mould for the narrow-mouthed squares, but I have brought a square bottle from Mr. Pellatt's premises, which matches them—they were made for a gentleman by mistake—they have a small P on them—they were made in a private mould, and were kept in our stock, and these small phials (*looking at them*) are the same pattern exactly as the small phials, of which I have not the mould—I should say they are manufactured from the same mould—the phials and small bottles usually pass through my hands after they come from the Excise—I believe these formed a part of my master's stock—I recollect leaving the prisoner in the warehouse on Thursday, the 15th of February, as I went to tea—he was gone when I returned, and never returned any more to the warehouse.

Cross-examined. *Q.* When was he taken up? *A.* On the 15th he was in custody—he could not well return—hundreds of bottles are made in a week—I left the prisoner there about five minutes before five o'clock.

MR. PHILLIPS *to* THOMAS SUMPTER. *Q.* Did he not tell you where he lived? *A.* Yes—I asked him whose service he was in—he said, "In the employ of Mr. Pellatt," but I knew that before—I did not tell him I knew it—I asked him in order to find whether he would give me a true account.

MR. APSLEY PELLATT. The witness Webb is in my employment—the

value of the seventy dozen of bottles is between 4*l.* and 5*l.*—I have not the least doubt that these are my property—I have not the least doubt of it—my stock is so large I could not miss them, unless it was under particular circumstances—the men usually quitted about five o'clock—the prisoner should have been there again about seven o'clock—he was inquired for, and was absent.

Cross-examined. *Q.* When did the prisoner leave you? *A.* I think it must have been four or five months since, and he came again on the 29th of January—I think he had been sixteen years in our employ.

COURT *to* HYAM ISAACS. *Q.* About what time did the prisoner come to you? *A.* About seven o'clock at night—the door was shut when he came—I had no opportunity of knowing how the things were conveyed to my door—he was the only person with them when I saw them.

(The prisoner received a good character.)

GUILTY. Aged 24.—*Recommended to mercy by the Prosecutor.*

Confined One Year.

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826. EMMA SMITH and JAMES DOREY were indicted for stealing, on the 11th of February, 1 shilling, 8 pence, and 36 halfpence, the monies of John Owen, the master of the said Emma Smith.

JOHN OWEN. I keep the John Bull, at Old Ford. Emma Smith was my servant for about two months and five days—in consequence of something, I marked some shillings and copper money on Saturday, the 10th of February—I looked into the tills the following day, and missed some of the money so marked about five minutes before eight o'clock, on the morning of the 11th—the prisoner Dorey was in the tap-room at the time I came down and missed the money—he came to the bar between eight and nine o'clock, and had half a pint of beer—he offered two halfpence, both marked, in consequence of which I sent for a policeman—he was not at home, but he came between nine and ten o'clock—I stated the case, and he took Dorey into custody—he took him to the station-house, and then came back, and asked to have some conversation with Smith, which he had—Dorey was out of employ—I could not exactly turn him out—he was constantly about my house.

Cross-examined by MR. DOANE. *Q.* Was there a deficiency in the till from the gross amount you put in? *A.* There was.

WILLIAM BARBER (*police-sergeant K* 28.) The prosecutor fetched me to his house on the 11th of February, and gave Dorey into custody—I searched him, and found on him one marked penny—the woman was not present when he was taken, nor when he was searched—she did not say any thing in Dorey's presence—Dorey was not in her presence till at the station-house—I searched Dorey there—Smith was not there when I found the penny—she was afterwards—I searched her, and found thirty-four halfpence, seven pence, and one marked shilling—I asked her how she got it—she said *Jemmy* Dorey gave it her to keep for him—she said she had given Dorey 2*d.* to help her to clean the candlesticks that morning—she did not know it was marked money till I told her—when I found the money on her she said this, before any one stated that the money was marked; and then, when a quantity was found on her, she said Dorey had given it her to save—Dorey strictly denied that, but he said that she had given him the 2*d.* for cleaning the candlesticks.

Cross-examined. *Q.* How long is it since you gave your evidence be-

fore the Justice? On the 12th of February—I recollect what I said—this is my signature—(*looking at his deposition*)—my evidence was taken down, and I signed it.

(*The deposition being here read, omitted to state that Smith had stated to the officer that she had given 2d. to Dorey.*)

Q. Now, do you say that the girl said she gave him 2*d.*? *A.* It was mentioned—he said it, and she said it—I am sure I told that—my deposition was read to me—I was asked if it was correct—if I had found out that, I should have named it.

EDWARD PARSONS. I am pot-boy to Mr. Owen. The prisoner Dorey slept at my master's stables on the night of the 10th of February—he was rather tipsy on the overnight, and I let him sleep there, because he should not be taken into custody by the policeman—I have heard my master say he did not wish him to come there—I locked him up all night, and let him out in the morning, at a quarter past seven o'clock—the 10th was on Saturday, and on Sunday morning the complaint was made—I cannot say what time Smith came to work—I did not see her come down stairs—Dorey was employed to do two or three candlesticks that morning.

JOHN OWEN *re-examined.* This is the marked shilling, and these are the marked pence and halfpence.

Dorey's Defence. I was out of work at the time—I used to go in the morning there, and when I was there I was asked if I could help them—I was there cleaning the pots, and this girl gave me 1*s.* 7½*d.*, 1½*d.* for myself, and to get silver for the 1*s.* 6*d.*, and she told me to say if it was found, that I picked it up near Whitechapel Church—on this Sunday she gave me 2*d.*—I gave 1*d.* for the beer, and then the officer came and took me—he found 1*d.* on me, which I had of her.

(The prisoner Smith received a good character.)

SMITH—GUILTY. Aged 20.—Confined Three Months.
DOREY—NOT GUILTY.

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827. JOHN READ was indicted for stealing, on the 10th of February, 2 half-crowns, 4 shillings, and 1 sixpence, the monies of Richard Scott, his master.

RICHARD SCOTT. I live at No. 38, Charlotte-street, Whitechapel, and am a butcher. I had a basin in my shop, in which I sometimes keep silver—when I was shutting up my shop on Saturday night, about twelve o'clock, I heard a noise with the basin—I was standing at the door—I turned my head, and saw the prisoner's hand coming away from the basin—I had silver in that basin—I gave the prisoner into custody—he is my servant—I missed 9*s.* 6*d.*—I charged him with taking some silver out of the basin before he was searched—he said he had not taken any—he put his hand into his right-hand trowsers pocket after he took it from the basin—9*s.* were found in that pocket—in going to the station-house he begged and prayed of me to forgive him, and he said he would work night and day for me—I told him I could not.

Cross-examined by MR. DOANE. *Q.* You were shutting up? *A.* No, I was at the door—the prisoner was told to shut up—he was taking in the meat—I have no till—I put my money loose into this basin—he had been about one week with me—I had previously counted the money—there was 6*l.* 10*s.* 6*d.* in the till in all, and I missed 9*s.* 6*d.*

COURT. *Q.* Had you ascertained the quantity you lost before you gave the prisoner into custody? *A.* Yes—I counted it, and missed exactly 9*s.* 6*d.*

WILLIAM PARSONS (*police-constable H* 107.) I took the prisoner—I searched him, and found nine shillings in his right-hand trowsers pocket, and a sixpence in his left-hand trowsers pocket.

(The prisoner received a good character.)

GUILTY. Aged 15.—*Recommended to mercy by the Jury and Prosecutor.*
Confined One Month.

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828. ELIZABETH WOOD was indicted for stealing, on the 29th of January, 2 sheets, value 6*s.*; 1 blanket, value 4*s.*; and 1 piece of patch-work, value 4*s.*; the goods of James Greenleafe.

JAMES GREENLEAFE. I live at No. 38, Upper North-street, Chelsea, and keep a mangle. The prisoner rented a furnished room in my house six months ago—I gave her notice to leave, and she left on the 13th of February—I missed two sheets, a patch-worked counterpane, and a blanket—I told the prisoner these things were missing, and she said they were gone to be washed—she got away unknown to me—I had her taken afterwards.

THOMAS TATE (*police-constable A* 62.) I took the prisoner on the 13th of February—she delivered up to me the four duplicates of these things—I found the articles by means of them—these are the duplicates she gave me—(*producing them.*)

RICHARD CHARLES. I am in the service of a pawnbroker. I have a blanket and some patch-work, which was pawned in September—I cannot say by whom—I have the counterpart of this duplicate—I advanced 1*s.* each on these things.

THOMAS GAMMON. I am assistant to Mr. Thompson, a pawnbroker, in Sloane-street. I produce two sheets, pawned on the 29th of January, by the prisoner.

JAMES GREENLEAFE *re-examined.* These are my property—the prisoner got her living by embroidery—there were two sisters living together—one went out to work—the other worked at home—when they came to us they earned 12*s.* a week each—they both came together.

Prisoner's Defence. I own I have done wrong in pledging the things—I did it through distress, and, had Mr. Greenleafe given me the time he promised, which was two hours from the time he took the door off the hinges and knocked the windows down, I would have got them—when he followed me, and took me in Park-lane, I was taken before the Magistrate, and it was all done in the given time, but I think it was all to distress me more than I was, as he will not let my sister have the frames which I work in, nor any thing to enable me to get my living.

JAMES GREENLEAFE *re-examined.* *Q.* Have you got possession of the frames? *A.* Yes—they owe me 1*l.* 5*s.*—I did not take the frames away—I let them stay till the room was let—I cannot say what else I took—they are all packed up in a box—they paid 4*s.* a week.

GUILTY. Aged 41.—Confined Eight Days.

829. CATHERINE JOYCE MURPHY was indicted for stealing, on the 12th of February, 1 hearth-rug, value 5*s*., the goods of Richard Daniel Nicholls.

RICHARD DANIEL NICHOLLS. I keep a broker's shop, at No. 12, Brook-hill, Clerkenwell. On the 12th of February I lost a hearth-rug, which was placed at my door—I saw the prisoner about twenty yards from the door, walking down the hill—I afterwards saw her in custody—I turned my back in my shop in about two minutes, when a girl came running in, and said that a woman had stolen a rug; but when I saw the prisoner and the rug, the man that ran and caught her had the rug.

CHARLES DIBBONS. I live in Silver-street, Clerkenwell, near the prosecutor's. I saw the prisoner loitering about—I watched her, and saw her take the rug—I followed, and took it from her—she had it concealed under a green cloak.

JAMES DAVIS (*police-sergeant G* 8.) I received the prisoner and the rug in my charge.

Prisoner's Defence. I was in heavy distress, and could not get any thing—I had not had a bit of victuals for two days—I turned out to go to Red Lion-square, to get some tickets for food there, and I took this through distress—the man followed and took me—I am sorry for it—I have got a large family of children.

(The prisoner received a good character.)

GUILTY. Aged 58.—Confined One Month.

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830. ELLEN CLAREY was indicted for stealing, on the 13th of February, 2 sheets, value 3*s*.; and 1 bonnet, value 2*s*.; the goods of James Roach: 1 gown, value 3*s*.; 1 shift, value 2*s*.; and 5 caps, value 2*s*.; the goods of William Prendiville: and 1 pair of shoes, value 3*s*., the goods of John Lynch.

JOHN LYNCH. I live at No. 7, George-court, Fox-court, Holborn, in the first-floor room—William and Catherine Prendiville lodge in the same room—they are not relations of mine—James and Mary Roach lived in the same house. I had seen the prisoner on the landing of the house—I missed my shoes between seven and eight o'clock, on the evening of the 13th of February—I got a light, and looked, and found a hat on the stairs—a Mrs. Shaw lodges in the same room with me—I am not married—there are two married couples live in that room—I went up stairs with the light, and found the prisoner with some of the clothes in her arms, and some lying by her on the stairs—I saw Mrs. Roach's bonnet—she came, and I went for a policeman—Mrs. Prendiville showed me my shoes, when I came back, down in the bottom parlour.

MARY ROACH. I am the wife of James Roach—I keep the house No. 7, George-court. I went up stairs on the night in question, and found my bonnet on the prisoner's head—she had some of the things on her arm—there was this pair of sheets, which are mine—(*producing them.*)

Prisoner. This witness never found the property on me. *Witness.* Yes, I did—I took the bonnet off her head.

CATHERINE PRENDIVILLE. I am the wife of William Prendiville. I lodge in the first floor room—I found the prisoner on the stairs—she had got the sheets and gowns in her arms—I took the shoes out of the things; when I took them out of her arms, there were some caps of mine, a shift, and a gown—we were all in the bottom room—we slept in this room where these

things were—two married women, and their husbands, and John Lynch sleep in that room—there are three beds.

WILLIAM ADAMS (*police-constable G* 184.) I found the prisoner at No. 7, George-court—she was delivered into custody with this property—she was on her knees, and begged me to intercede for her—her father lives in Tennis-court, Holborn, two or three hundred yards from where she was taken.

MARY ROACH *re-examined.* This is my bonnet and sheets—(*looking at them.*)

CATHERINE PRENDIVILLE *re-examined.* This gown, shift, and five caps, are mine—(*looking at them.*)

JOHN LYNCH *re-examined.* These shoes are mine—(*looking at them.*)

GUILTY. Aged 14.—Confined Six Months.

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831. GEORGE MOORE was indicted for stealing, on the 18th of February, 1 metal cock, value 1*s.*; and 12lbs. weight of lead pipe, value 4*s.*; the goods of George Jewel, and fixed to a certain building; against the Statute, &c.

JOHN CHARLES GOOZEE (*police-constable K* 45.) On the morning of the 18th of February I saw the prisoner come out of Raven-street, Mile-end-road, with a sack on his shoulders—he crossed over to the corner of North-street—I asked him what he had got—he said, "A few shavings"—I felt and found the sack was hard—he then threw the sack at me, and ran across the road—I pursued him—he fell down, and after a short struggle I took him—I then said, "What is in that sack?"—he said, "Only a few cocks, but do not take me, it is what I get a living by"—I called another policeman, who took the sack, while I took the prisoner to the station-house—this is the property—(*producing it.*)

PETER BALDRY. I am a plumber, and live at No. 36, Bedford-street, Bedford-square. I know this pipe and cock—(*looking at it*)—it is my workmanship—I made these joints in this pipe—it was fixed in Mr. Cosgroves, in Raven-street—it is Mr. George Jewell's house—the fixtures belong to him—it is in the parish of St. Dunstan, Stepney—I soldered the cock into the pipe, they were both fixed to the building—I cannot tell when these things were safe.

JOHN CHARLES GOOZEE *re-examined.* These were part of the contents of the bag I found on the prisoner—I took him about seven o'clock on Sunday morning, the 18th.

MARY ANN SHEARMAN. I live as servant at Mr. Cosgrove's, No. 9, Raven-street. This pipe and metal cock were safe the night before it was missed—I do not know the day of the month—the prisoner was stopped in Russell-street, not far from where I live.

Prisoner's Defence. I was hired to carry them, and being out of work I was glad to earn a trifle—the man told me if I was stopped to say I had some shavings—when the officer came to me I put them down at his feet—I did not throw them at him—I did not say I got my living by stealing, but by carrying things.

GUILTY.* Aged 18.—Transported for Seven Years.

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832. THOMAS WILSON was indicted for stealing, on the 20th of

February, 1 mat, value 6*s.*; 1 yard of carpeting, value 1*s.* 6*d.*; and 3 curtains, value 1*s.*; the goods of William Peal.

JOHN HAMMOND ROWE. I am a watchman at the West India Docks. On the evening of the 20th of February, I stopped the prisoner going out of the Docks—he had a bundle, consisting of a sheep-skin mat, and a piece of carpet—he said he belonged to the *Ruby* steam-boat, and was going to take these articles to the captain's house—I asked him for a pass—he went back to get a pass—he came again, and said the mate had not paper to write one—I then kept the goods—he said he would go to the captain—I took him on board the *Ruby*, and they said they did not know him—he then said he took them from a steam-boat, he did not know the name—I took him on board the *Courier* steam-boat, and he said he got them from there—I found some curtains in his hat—he said he got them from the aft cabin of the same boat.

JAMES TOMS. I was ship-keeper of the *Courier*, up to the 10th of February. I went on board her on the 20th, and found the sky-light had been broken open, and the vessel robbed—I found the panel of the pantry door broken open, and missed this mat, and pieces of carpet—they were safe at 12 o'clock on the 20th—these are the things I missed—(*looking at them*)—they are the property of William Peal, who is the owner of the boat.

WILLIAM PEAL. I am the owner of the *Courier*—these are my property—(*looking at them*)—the vessel was in the Dock.

GUILTY. Aged 18.—Confined Six Months.

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833. WILLIAM BOTTOMLEY was indicted for stealing, on the 28th of February, 1 coat, value 2*s.*, the goods of James Hyam and Otho Barber.

JOSEPH MILWOOD. I am in the employ of Mr. Otho Barber and James Hyam—they live at No. 282, High Holborn. About half-past nine o'clock, on the 28th of February, I was standing in my master's shop—my master had a cart at the door—the prisoner came from the opposite side, and took of the coat, which was across the horse's back—he ran off—I pursued, and called "Stop thief"—he was stopped in Lamb's Conduit-passage—the property belongs to both of my masters—the coat was used to put over the horse, and for that only—it is not altered from a coat—it is a common coat—he did not pick it up, but snatched it from the back of the horse.

ROBERT DUCKET (*police-constable E* 96.) I was on duty in Holborn, and heard the cry of "Stop thief"—I followed the prisoner and overtook him—he had this coat on him, (*producing it,*) when I took him—I should think it is worth 5*s.*

Prisoner. I picked it up in the road.

GUILTY. Aged 19.—Confined Two Months.

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834. CHARLES TURNER was indicted for stealing, on the 13th of February, 6 spoons, value 6*l.*, the goods of Mary Ross.

MARY ROSS. I am a widow, and live at No. 1, Adam-street East, Manchester-square. I keep a silversmith's shop—I have known the prisoner twelve months—he is a tailor—his father keeps a fruiterer's shop in Park-lane, Piccadilly, opposite Gloucester House—his father has plate of me occasionally—on Tuesday, the 13th of February, the prisoner came,

to my shop and asked for half-a-dozen table spoons, and half-a-dozen dessert spoons, which his father would want for two dinners—I asked when I could have them back; he said not till the latter end of the week—he came back in half an hour, returned the dessert spoons, and said the table spoons would be sufficient, and that I could not have them back till Saturday or Monday—the prisoner did not return to me—the father came to me, and gave me a letter which contained the duplicates of the spoons.

HENRY WILSON. I live with Matthew and William Filmer, pawnbrokers in South Audley-street. I produce half a dozen table-spoons, pledged with them on February the 13th—there was 3*l.* 10*s.* advanced on them—the same person who pledged them came again the next day, and requested as much more as he could have on them—I lent him 5*s.* more—to the best of my belief it was the prisoner—I should not like to swear it—he gave me the name of Charles Ross, and said he lived at No. 1, Adam-street East, and was a housekeeper—I asked who he brought them for—he said they were his own—this duplicate is the one that was given—(*looking at it*)—I have the counterpart of it—it is the one I delivered to him the second time.

MARY ROSS *re-examined.* These are my spoons—(*looking at them*)—they are worth 6*l.*

JONATHAN TURNER. I am a fruiterer, and live at No. 5, Park-lane. I occasionally go to assist at dinners—I have hired plate of Mrs. Ross—the prisoner is my son—I did not send him to get plate of Mrs. Ross, on the 13th of February—my daughter received a letter addressed to a neighbour, enclosing one to Mrs. Ross, which contained the duplicates—the letters were both my son's writing—(*read*)—

"MADAM—I know not how to write to you on the present occasion, but I can assure you that it was from want, and not from depraved principle, I was induced to come to you last week; having been out of work, and not having any clothes fit to go after a situation, and not being able to borrow any money from any person, I was tempted to obtain the plate on hire from you, which I have pledged: it was indeed at the sacrifice of my liberty, but I hope you will forgive me. I do assure you I will, with God's assistance, repay you in a short time. Madam, I pray for your forgiveness, and call God to witness that I will use my utmost endeavours to repay you with all possible speed. Madam, I know not how to apologise further for what I have done, than by craving your forgiveness, and I again assure you that I am telling the truth. Madam, if you will forgive me, I shall feel for ever bound to pray for you, and your welfare."

"CHARLES TURNER."

GUILTY.* Aged 26.—Transported for Seven Years.

Sixth Jury, before Mr. Sergeant Arabin.

835. FREDERICK DUFF was indicted for stealing, on the 29th of September, 2 handkerchiefs, value 5*s.*, the goods of William Ashdown, his master; to which he pleaded

GUILTY.—Confined Three Months.

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836. WILLIAM CLARKE was indicted for stealing, on the 1st of

March, 9 bottles, value 1*s.* 6*d.*; 5 quarts of wine, value 17*s.*; 1½ pints of brandy, value 5*s.*; 1½ pints of gin, value 2*s.*; the goods of John White and another, his masters; to which he pleaded

GUILTY. Aged 45.—*Recommended to mercy by the Prosecutor.*
Confined Six Months.

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837. MARY TUMILTY was indicted for stealing, on the 14th of February, 1 gown, value 10*s.*, the goods of Louisa Miller; and 1 gown, value 14*s.*; the goods of Catherine Enwright.

LOUISA MILLER. I lodge at No. 25, North-street, Manchester-square, and am a servant out of place. The prisoner lodged there—I do not know what she is—she slept in the same room with me—on the 14th of February I lost a gown—I went to bed at ten o'clock, and left my clothes on the chair—she slept in another bed in the same room—it was the gown I wore that night—she got up the next morning, and went away with my gown at half-past eight o'clock—I got up about nine o'clock—I missed my gown, and it was found at a pawnbroker's—I had been there about three months—she had been there only one week.

CATHERINE ENWRIGHT. I lodged in the same room. On Tuesday morning I put my gown into the cupboard, and missed it the same morning—I got up before the prisoner, and left her in the room—this is my gown—(*looking at it*)—I had been there one month.

WILLIAM PETHEBRIDGE. I am in the service of Mr. Hull, of High-street, Marylebone, a pawnbroker. I produce Enwright's gown, which was pawned by the prisoner.

WILLIAM GOULD (*police-constable D* 148.) I heard the prisoner was wanted for stealing two gowns. I met her in Dorset-street, with a bottle of rum in her hand—she asked me to have a glass—I told her I could not accept it, she was my prisoner—I took her to the station-house.

GUILTY. Aged 17.—Transported for Seven Years.

(There were two other indictments against the prisoner.)

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838. WILLIAM SHILLINGFORD was indicted for stealing, on the 8th of February, 1 spoon, value 9*s.*, the goods of William Thomas Ball, his master.

HENRY BENNETT. I live on Mr. William Thomas Ball's premises, No. 126, Brick-lane—he resides at No. 8, Charlotte-street, Bloomsbury-square—the prisoner has lived with him as his watchman since the fire, which was on the 1st of February—I saw the prisoner on the floor of my master's premises, about half-past seven o'clock on the morning of the 8th of February—as the prisoner was rising, I saw a spoon fall from his breeches pocket—he had sat up there all night—my master kept his silver spoons on the first floor, and the prisoner was on the second floor—I did not see him come from the first to the second floor—he was sitting by the fire when this happened—he talked about going to breakfast, and on standing up to stretch himself, the spoon fell from his breeches pocket—he said, "That is my key," and he put his foot over it to hide it—he then pulled a key from his pocket, and said, "That is my key"—I said, "What is under your foot?"—and when I pulled his foot away, there was

a dessert spoon—he said, "It is an old metal spoon"—he took it from me, and put it on the shelf—I took it, and said, "It is Mr. Ball's spoon"—the prisoner went to his breakfast directly—I kept the spoon till I gave it to my master—the policeman has it.

Prisoner. When I got out of the chair I *chucked* the cloak across the spoon—and did I not pick it off the ground, and put it on the shelf?—you said, "This is one of Mr. Ball's spoons"—I said, "Is it?"—and did I offer to touch it again—I said, "You had better put it into your pocket."

WILLIAM THOMAS BALL. I live at No. 8, Charlotte-street, Bloomsbury—I had a fire at No. 126, Brick-lane, where I did live—this happened there—I had the prisoner there to watch the property after the fire—he has been there since the 1st of February—I had a previous knowledge of him—this is my spoon—(*looking at it*)—the spoons were kept in a cupboard on the first floor—there were none on the second floor.

Prisoner. There was every thing moved to the second floor—there was nothing left on the first floor but some broken bottles. *Witness.* No, there was nothing moved.

Prisoner's Defence. I was employed as watchman at night, and on this Wednesday, about half-past five o'clock in the morning, I went up stairs, where the boy lay, and called him up—he asked me to leave the candle—I did, and came down into the second floor, and sat there with my brother-in-law—we then went to give the horses some water and victuals—in the meantime, this boy washed up the tea-things—we came back, knocked at the door, and this boy let us in—I sat down in the chair—I had got a smock-frock, a pair of trowsers, and an apron on—I lighted my pipe at a quarter to seven o'clock—at a quarter past seven o'clock I got up to go to my breakfast; and when I got up, I caught hold of the cloak, and then something fell—I thought it was my key—I felt in my pocket, and said, "No, here is my key"—I then picked up the spoon, and laid it on a bag of halfpence—the boy took it down, held it to the light, and said, "It is one of Mr. Ball's best silver spoons; I will put it into my pocket and deliver it to him when he comes"—I said, "That is the best way"—I went to breakfast, and when I came back, Mr. Ball charged me with wanting to take some of his property, and said he could not think of employing me, I might go home—I asked him to pay me for what I had done—he said he could not think of that—I said I should get a summons—he said I might if I could—I went and got a summons; and on the 19th Mr. Ball attended, and made his statement—the Magistrate said he must not cheat me out of my money, and told him to pay me—when I got down, he wanted to shuffle me out of 3*s.*—there was 18*s.* coming to me—he wanted to pay me off with 15*s.*, but he paid me 18*s.*—he then said, "I shall give you into custody for felony"—I said, "Very well"—I came into the passage, and gave my wife the 18*s.*—there was one of the G division there—the prosecutor said to him, "Are you on duty?"—he said, "No"—he said, "I want to give charge of this man;" and he took me—they stood waiting about, but did not go to appear against me that day—I suppose on account of not going before the same Magistrate as they had seen that day—I was locked up all night, and on Saturday I had my hearing, and was remanded for a week—then they made up a story against me—the boy has stated three times as much now as he did then—he never said a word about moving my feet at all—I had three hearings, and then the Magistrate did not know what to do about discharging me.

THOMAS WILLIAM BALL *re-examined.* He summoned me for 18*s.*—I never refused to pay it—the Magistrate did not order me to pay it—I paid it before I preferred this charge, as soon as I got to the office—he was remanded three times on another charge.

JURY. *Q.* Were there halfpence on the shelf? *A.* I should say there were not—I could not swear it—there was none of mine—I should have given him in charge before, but he got away from me.

NOT GUILTY.

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839. WILLIAM MILEHAM was indicted for stealing, on the 17th of February, 1 promissory note for the payment and value of £5, the property of Frederick Pilch.

MR. DOANE *conducted the Prosecution.*

FREDERICK PILCH. I am a journeyman cooper. On the 14th of February I was living in Petticoat-lane—the prisoner lodged in the same room with me—on the 14th of February I received, from Ipswich, a £5 note, of the Ipswich bank—I should know it from its general appearance—when I received it, the prisoner and two young men went with me to the Blue Boar-tap—I believe this is the note, (*looking at it,*) from its general appearance—I said it was an old looking note, and had a broken back—I have no doubt this is the note I received—the prisoner went with me to the tap on Wednesday evening—on Wednesday night the prisoner went to bed first, and not having had a good opportunity of reading the letter, I took the note out and read the letter—I put the note into the letter again, and put them into my box, which stood between the beds—the prisoner had an opportunity of seeing that—no one else was in the room, and no one else sleeps there—there is no lock to the box—I went to work the next morning between seven and eight o'clock—on the Saturday night I found the letter and bank-note were both gone—the prisoner continued to sleep there from Wednesday to Saturday—about half-past one o'clock on Sunday morning I heard a violent ringing at the door—I looked out, and saw the prisoner and two disorderly females—the prisoner was in liquor, and I gave him in charge.

Cross-examined by MR. PRENDERGAST. *Q.* Do you know the number of the note? *A.* I do not—I have not brought any person here that does know the number—the house where I sleep is a hairdresser's shop below—he lets lodgings—there may be from seven to eight lodgers at a time—the box had no lock on it—I never saw the door locked—one of the lodgers is a tailor, another a pot-man at a public-house, one an old gentleman, who is a Jew—I do not know what he is—I do not know whether he carries a clothes bag—I really believe he is not an old clothes dealer—there is another old gentleman of the name of Jones—he is a very good man—I do not know what he is—he goes out in the morning—I think he is something of a messenger—there is Mr. Finch's men, who shaves in the shop—there are no ladies in the house—the prisoner was very much intoxicated on the Sunday night—the door had not been shut long, as I had been sitting up for him—he is a Norfolk man.

MR. DOANE. *Q.* Have you the slightest reason for suspecting any of the lodgers? *A.* No.

RICHARD RAY THORP. I keep the Pitt's Head, in the Old Bailey. On Friday, the 16th of last month, between seven and eight o'clock in the evening, the prisoner came to my house and asked me if I would give

him change for an Ipswich £5 note—I took it in my hand, and read it—it was like this—I believe this to be the same—(*looking at it*)—I returned it to him.

Cross-examined. *Q.* You do not know the number of it? *A.* No.

SAMSON GENESE. My brother keeps an auctioneer's office in the Poultry—the prisoner came to me on the evening of Friday, the 16th of February, and asked if I had a dressing-case for about 1*l.*—he wanted change for a £5 country note—I asked him to let me look at the note—he produced a £5 Ipswich and Needham Bank note—I took the date of it—it was 12th month, 1834—this is the same note—I took such very particular notice of it—I took notice of the name of "Alexander" not being correctly printed, because the man was anxious to have the change, and he wanted me to give him 4*l.* for it, and then wanted me to lend him 2*l.*—the next morning I sent our porter to the banker's to know if the note was a good one—the next morning the prisoner came, and our man went with him to Barnett and Hoares, and he came back and showed me four sovereigns and two half sovereigns, and he went off.

Cross-examined. *Q.* Did he not go with the porter to the banker's? *A.* Yes, he did—I do not know whether he was able to read—I suppose so—I had seen the prisoner before—I did not know his name till he was at the Mansion-house—I had seen him in our shop before—he was perfectly sober the night before.

HENRY STYLE. I am porter to Samson Genese. On the morning of Saturday, the 17th of February, the prisoner went with me to Barnett and Hoares, in Lombard-street—I went to show him the way—the note was changed in a moment, and gold given for it, four sovereigns and two half sovereigns, by Mr. Cubitt.

Cross-examined. *Q.* The prisoner was known to your master before? *A.* I do not know—he offered it in change himself—I think he was drunk.

WILLIAM CRANFIELD CUBITT. I am clerk to Barnett and Hoares. I gave change for this Ipswich note, which I have produced, on the 17th of February.

GUILTY.* Aged 52.—Transported for Seven Years.

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840. WILLIAM COLE was indicted for stealing, on the 18th of February, 1 pair of boots, value 2*s.* 6*d.*, the goods of William Ovens.

CHARLES OVENS. My father's name is William Ovens, he is a boot and shoe maker. On the 18th of February I saw the prisoner take my father's boots from the board outside—he ran away—I told my father—I followed him—he was taken to Bow-street—I am sure he is the person—these are the boots—(*looking at them.*)

WILLIAM OVENS. I am master of the shop—it is in Newton-street, Holborn—my son called out "Father!"—I went out and saw the prisoner—I ran after him and called "Stop thief"—the policeman caught him, and he dropped these boots from under his arm—they are mine.

JOHN LAURIERE (*police-constable F* 120.) I took the prisoner, and have the boots.

GUILTY.* Aged 18.—Transported for Seven Years.

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841. WILLIAM WILSON was indicted for stealing, on the 23rd of

February, 1 pair of boots, value 1*s.*; 3 brushes, value 5*s.*; and 1½ yards of drugget, value 1*s.*; the goods of Benjamin Vipon: and 1 pair of boots, value 4*s.*; the goods of Matthew Whiting: and that he had been before convicted of felony.

MATTHEW WHITING. I am groom to Mr. Benjamin Vipon. He lives in Trinidad-place, Islington—the property stated was lost from the stable on the 23rd of February—part of it is mine, and part my master's—it was on the corn-bin—I heard the servant cry out that there was a man in the yard with a bundle—I ran out after him, and saw the prisoner throw these things from him—he had got about a hundred yards from the stable.

GEORGE WALTHAM I am a drover. I heard the servant cry "Stop thief"—I saw the prisoner running—a man stopped him, and I took hold of him—I saw the prisoner drop these brushes, and boots, and carpet—they were taken up by the servant.

THOMAS HOBBS KING. I am a policeman. I received charge of the prisoner, and took the property.

(*Property produced, and sworn to.*)

Prisoner's Defence. I was walking along the square, and saw these things—I did not know who they belonged to—I took them up, and somebody cried "Stop thief."

JOHN SMITH. I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(*read*)—I was the person who took him, and was a witness—the prisoner is the person.

GUILTY. Aged 16.—Transported for Seven Years.

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842. JOHN WILLIAMS was indicted for stealing, on the 27th of February, 3¼lbs. of bacon, value 2s., the goods of Thomas Swatman.

HENRY NICHOLSON. I am in the service of Mr. Thomas Swatman, a cheesemonger, No. 3, Little St. Andrew-street. On the 27th of February the prisoner came to the window, and took off a piece of bacon—he went off about seventy yards—I saw him, and pursued him, and took him with it—this is it—(*producing it*)—it is my master's.

Prisoner. It was given into my hand by some person—I do not know who.

GUILTY. Aged 21.—Confined One Month.

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843. AMELIA PARKER was indicted for stealing, on the 18th of February, 1 watch, value 2*l.* 5*s.*; 1 seal, value 15*s.*; and 1 watch-key, value 1*d.*; the goods of Thomas Jones, from his person.

THOMAS JONES. I sell packing-cases and other things. On the 18th of February, about eleven o'clock in the evening, I fell in with the prisoner in Brick-lane, Spitalfields—she began talking to me, and asked me the time of night—I pulled out my watch, and told her—I put my watch into my fob, and went down the first street—she went down also, and kept talking to me, and put her hand round me once or twice—I cautioned her not to do it, but she still kept on kissing and *hugging* me till we came to a court, and there she stopped to pretend to tie up her garter—she went a yard or two up the court, and I went on about a yard or two—I then missed my watch—I went back to her, and asked her to come out, which

she did—I told her she had got my watch—she denied it, and wanted to go another way—I followed her till she came to St. John-street—there was a policeman on the other side—she called him, and said that I charged her with taking my watch—I told him about it—then one policeman took her and felt in her bosom, and she had not got it—I went with the other policeman to the court, and there we found my watch behind some palings—this is my watch—(*producing it.*)

JOHN BATEMAN (*police-constable H* 28.) The prisoner and the prosecutor met me about half-past eleven o'clock that night—the prisoner called "Police"—I came over, and heard the prosecutor accuse her of robbing him of his watch—she wanted to get away—he held her by the shoulders, and gave her to me—I took her to the station—the prosecutor and another officer went and found the watch.

DAVID EVANS (*police-constable H* 118.) I went with the prosecutor to Molloy-alley, and found this watch behind some palings—the prosecutor took me there.

Prisoner's Defence. I met the prosecutor—he said, "My dear, where are you going?"—I said, "Home"—he said, "Will you come with me?"—I said, "Where?"—he said, "I am going to turn round here, come round here"—we went down several turnings together, and then he said a word to me that I do not wish to speak—I said, "If you wish any thing, I should like to go to a house"—he said, "I will go to your house"—I said, "You can't, I live with my mother"—he said, "Come down here, and come up this alley" and I said, "I don't much like to go," but we went up the alley, and he began to pull me about—I said, "I shall go home," and then he said, "You have got my watch"—I said I had not—I was going home, and he kept following me, and said I had—I called the policeman, and told him of it, and the prosecutor gave charge of me—he was very drunk.

JOHN BATEMAN *re-examined.* The prosecutor had been drinking, but he knew what he was about very well.

DAVID EVANS *re-examined.* I found the watch in a place where it could not have fallen.

GUILTY.* Aged 20.—Transported for Ten Years.

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844. HENRY KNOWLES and ELIZABETH KELLY, were indicted for stealing, on the 22nd of February, 2 sheets, value 5*s.*; 1 blanket, value 2*s.*; 1 quilt, value 4*s.*; and 1 set of bed-furniture, value 8*s.*; the goods of Edward Flower.

RUTH FLOWER. I am the wife of Edward Flower—we let lodgings at No. 23, Great North-street, Lisson-grove. On the 19th of February, our lodging was taken by the female prisoner and another young woman—it was the second floor back-room—they took it by the week—the prisoner said she was married, and her husband was a *cab* driver—she took possession on the 19th, and in the evening, the male prisoner came and passed as her husband—they continued there till the following Tuesday, the 27th—I gave them warning, because when they took my apartment, the woman said her husbund drove a *cab* by night, and she got the key of my street-door, but no man came in—on the Sunday-morning, at three o'clock, the female prisoner came and could not get in—she rang, and the man came down and let her in, and I gave her warning the next

day—I said the reason was, there was a man concealed up stairs to let her in, and that she herself went out—she begged me not to make them go so soon—after that the male prisoner came down—I just saw him open the street door—I ran to the door, and the man and woman were going up the street—I ran up stairs, and found my apartment was robbed—I sent a lodger of mine after them, and I ran after her—we gave the female prisoner into custody, and in going to the station we met the male prisoner with the bundle under his arm, which contained the bed furniture, and these other things were what were pledged—this is cotton bed-furniture.

CHRISTIAN SAXE. I am a pawnbroker. I have a blanket, quilt, and two sheets—the sheets and quilt were pawned by the female prisoner—I cannot say who pawned the other, but it was a female—I have the counter duplicate—they were pawned on the 20th, the 22nd, and the 24th of February.

WILLIAM LLOYD (*police-constable S* 142.) I took the female prisoner, then we met the man, and took him.

Knowles's Defence. I took them to pay the rent—I was out of work—I intended to get them back, which I had the means of doing.

Kelly's Defence. I took them to get some victuals first, and she gave me warning so suddenly that I had not time to get them back.

KNOWLES—GUILTY.—Aged 23.
KELLY—GUILTY.—Aged 19. } Confined Six Months.

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845. LOUISA BROWN was indicted for stealing, on the 9th of January, two pairs of trowsers, value 10*s.*, the goods of Peter Pigè.

STEPHEN LAWRENCE. I am in the employ of Mr. Peter Pigè, a pawnbroker, of Church-street, Bethnal-green. We lost two pairs of trowsers on or about the 9th of January—they were outside, on the window—I saw one pair of them about five or six weeks after—these are them—(*looking at a pair of trowsers*)—the others are lost.

JAMES JOSEPH REARDON. I am a pawnbroker. In the early part of January the prisoner brought this pair of trowsers to pledge—I stopped them—I believe it was after the 9th of January—I asked her who they belonged to—she said her brother had had them made the Saturday previous—but I saw they had been in a shop, and were soiled with gas—I asked her her brother's name—she said Perkins—I said, "You must leave them and bring him"—she left them, and came again in a day or two, and wanted them back—I said she should not have them but in the presence of a policeman—she then made off, and I did not see her again till she was in the station-house—I am sure she is the person.

Prisoner. I came the same afternoon and told you not to let anybody have them till my brother came, between eight and nine o'clock at night. *Witness.* A man came a week or two after, and said he was her brother, but I did not like him, and would not give them to him.

JAMES PERKINS. I am a shoemaker, and live at No. 77, Greenfield-street, Commercial-road. The prisoner came to my house where I then lived, at No. 40, Fashion-street—she asked me if I would go to the pawnbroker's and obtain a pair of trowsers which were stopped—she said she took a pair of trowsers there that a man she lived with had stolen from Mr. Pigè's—I did not go to the pawnbroker's for them.

Prisoner. This is the person who said he would go with me between

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she did—I told her she had got my wa
go another way—I followed her till , 23.) I took the pri-
a policeman on the other side-
her with taking my wate me one morning, and said,
took her and felt in her b me?"—I went to the pawn-
other policeman to the know what to say, and I said they
palings—this is my wa another (the witness) and told him to
JOHN BATEMAN (not to let anybody have them till
cutor met me abou eight o'clock"—I then went home
"Police"—I cam kept them, and not taken them to pawn,
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DAVID J Aged 23.—Transported for Seven Years.
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THOMAS COX and JOHN BROWN were indicted for stealing, on the 24th of February, 17 yards of calico, value 6s., the goods of James Wallington.

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SARAH WARREN. I live with Mr. James Wallington, a linen draper, at Strutton-ground, Westminster. On the 24th of February, about three o'clock, the prisoner Cox came into the shop, and went out again, and in four or five minutes Brown came in, took this calico, and went out—I went out and saw Brown going down the street with this calico—he went on to Cox's house, and there he was taken with Cox, in about half an hour—this is the calico—(*looking at some*)—it had been in the back of the shop near the parlour.

Cox. Q. Did I come in? A. Yes, and you hallooed, "*Tom*"—then you went out, and Brown came in—I was in the parlour—I could see the shop.

Brown. Q. You say I went in? A. Yes, and you went out with the calico in your arms—I could not have you stopped, as there was no one near the door—there are three marks on the calico.

THOMAS BLAKELY. I am a policeman. I heard what had happened, and went and took the prisoners, at No. 9, Snow's-rents, in a room occupied by Cox—I found Brown there—I know Cox lived there with a woman—I found this calico on the bed in the room.

Cox. Q. On what part of the bed was the calico? A. About the middle.

Cox's Defence. I went down to Mr. Brown, the foreman to Mr. Johnson, to see for some work—I was then going home, and saw some persons running—I stopped and talked to some persons—I then went to this room, and had not been in two minutes before the policeman came in—he took this calico off the bed, and collared me and Brown—the policeman had the calico in his possession about three quarters of an hour, and then this woman Warren came, and whether they marked the calico or then, I do not know.

Brown's Defence. I was going to my uncle's, at Pimlico—I went into the Crown and Cushion to have a pint of beer—two young men came in with two bundles, and asked if I wanted to buy some calico—I was in want of some, and I bought it for 4*s.* 6*d.*

COX*—GUILTY. Aged 21. } Transported for Seven Years.
BROWN*—GUILTY. Aged 21. }

OLD COURT.—*Monday, March 5th*, 1838.

Third Jury, before Mr. Recorder.

MARY ANN STANNARD was indicted for stealing, on the 8th [illegible]ember, 1 ring, value 4*l.*; 3 necklaces, value 15*s.*; 2 buckles, value [illegible] 1 housewife and 1 pocket-book, value 1*d.*; the goods of Elizabeth [illegible]ary Glass.

RICHARD TURNER. I am a police-inspector. I know Mr. Stewarts, a pawnbroker, at Putney, in Surrey—in consequence of information I obtained there, I gave directions for the prisoner to be apprehended.

SEYMOUR LUCOCK (*police-constable V* 30.) On the 19th of February I took the prisoner into custody at Putney—I found three necklaces and some buckles in her hand—a woman searched her, and found the other articles on her in the station-house—the woman produced them after searching her—that was the housewife and the pocket-book—I produce the articles I found.

JOHN STEWART. I am an auctioneer, and live at Putney. I know the prisoner—I was in my mother's shop, on the 30th of December, at Putney, when the prisoner pawned this ring for 6*s.*

Cross-examined by MR. DOANE. *Q.* What is the value of it? *A.* I should think 3*l.* or 4*l*—the prisoner lived at Putney.

MARY ANN GORDON. I am single, and live with Miss Elizabeth Mary Glass, at Waltham-green—she is my aunt—the prisoner nursed her from the 7th to the 14th of December—I know this ring—it belongs to my aunt—it is gold—I know these two garnet necklaces, this other necklace, housewife, and pocket-book—they all belong to my aunt, and were in her possession when the prisoner came to nurse her.

Cross-examined. *Q.* Were you living with your aunt at the time? *A.* Yes; my aunt has known her a great many years, coming backwards and forwards—I have seen her coming backwards and forwards a long time—she was not paid any thing for nursing my aunt—her victuals was found her—she was not on intimate terms with my aunt—my aunt did not give her the things—she is independent.

(MR. DOANE, *on behalf of the prisoner, stated that the things were given to her by the prosecutrix for her services.*)

JURY *to* MARY ANN GORDON. *Q.* Why did she not receive any wages? *A.* She said she did not come for any wages, and that she would pay my aunt for what she had—she was only there a week—she left on the 14th of December, and was apprehended in February.

SEYMOUR LUCOCK *re-examined.* I did not receive the information till the day I took her—I heard the articles were pawned, and then found out the owner—the prisoner said the things were given to her.

NOT GUILTY.

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848. JOHN ROBINSON was indicted for stealing, on the 18th of February, 1 handkerchief, value 2*s.*, the goods of James Darby, from his person.

JAMES DARBY. I live in Blackheath-road, Greenwich. About nine o'clock on the night of the 18th of February, I was going along Bishopsgate-street, and felt something at my pocket—I put my hand behind me,

and missed my handkerchief—I turned round, and the prisoner was getting before me, doubling something up, which I suspected to be my handkerchief—he turned up a court, and I collared him—he then threw my handkerchief away—a gentleman coming down the court picked it up at my request, and gave it to me—I took the prisoner to the station-house.

WILLIAM SMITH. I am a policeman. I received the prisoner into custody, and have the handkerchief.

(*Property produced and sworn to.*)

GUILTY.* Aged 21.—Confined Six Months.

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849. WILLIAM LAGDON was indicted for embezzlement.

MR. BALLANTINE *conducted the Prosecution.*

SUSAN FREEMAN. I live in Chapel-row, New-road, Chelsea. I know the shop of James Toome—he is a baker, and I dealt with him—on the 11th of December I paid the prisoner 5*s.* 6*d.* on his account—he wrote this bill and receipt, and gave to me.

Cross-examined by MR. CLARKSON. *Q.* Were you before the Magistrate? *A.* No.

MARY ANN TILLS. I live in Tottenham-street. On the 11th of December, I paid the prisoner 3*s.* 4*d.* on account of Mr. Toome, for bread.

Cross-examined. *Q.* Were you before the Magistrate? *A.* No.

SARAH BUNDEY. I live in Eaton-lane. On the 18th of December I paid the prisoner 10*s.* on account of Mr. Toome for bread.

Cross-examined. *Q.* Were you before the Magistrate? *A.* No.

MARY ANN TOOME. I am the wife of James Toome, who is a baker, and lives at No. 8, Litchfield-street. In December last, he was in gaol, and I conducted the business in his absence—the prisoner was a servant in our employ—I paid him wages weekly—he had 24*s.* a week—he never gave me any account of 5*s.* 6*d.* received on the 11th of December, nor of 3*s.* 4*d.* the same day, nor of 10*s.* on the 18th of December, from Bundy—it was his duty to account for the sums he received every evening—it was the custom while my husband was in gaol.

Cross-examined. *Q.* How long had he been in the service of your husband? *A.* About eleven months—my husband went to gaol on the 31st of October—I do not know whether the attorney has the papers from the Insolvent Court.

Q. Do you know William Dockerell? *A.* I am not certain of the name—I have heard the name of John Frederick Fulford—I do not know a person named Grant—my mother's name is Loader—I have a certificate of her being unable to attend here—these three charges were named before the Magistrate, but they were not gone into—they were certainly mentioned—(*Dockerell called in*)—I do not know that man—(*looking at a man named Grant*)—I have seen him about twice.

Q. Now did you prefer any charge but a charge of embezzling a sum of money received from a person named Murray? *A.* I did; all these five—we also preferred a charge of horse-stealing against the prisoner—this is the paper I produced before the Magistrate—(*looking at one*)—my husband's name is to it, and this is my mother's mark—she cannot write—it is an account of the sale or transfer of a horse and cart to my mother—the transfer was made last March—it is the same horse we charge the prisoner with

stealing, and which was in my husband's possession, (though sold to my mother in March,) till the latter end of September or October—my mother's name was on it some weeks previous to my husband being arrested; but it remained in our possession—I did not miss it till the 26th of December—my husband by this agreement parted with the horse and cart to my mother in March for money, but is was left in our possession till he went to prison—the prisoner's name was never on it, to my knowledge—my mother's name was put on it on the 2nd of November—stop, do'nt let me make a mistake, it was the 11th of October—my husband went to prison on the 31st of October—I can't tell when the broker came in—Grant was not employed by me or my husband to paint my husband's name out of the cart—I don't know who did it—I know my mother's name was put on it—it was the only name that had a right to be on it.

Court. *Q.* Then it was not your husband's horse and cart? *A.* It was not, but he was informed it was his as long as he had possession of it.

Mr. Clarkson. *Q.* When was Mrs. Freeman's debt contracted? *A.* The bills will prove—I cannot explain about these bills, because they are the prisoner's own making out—he ought to have delivered the proper bills—these are not in the book in the same sums as in his bill, because he has received various sums—he has made out a bill received by him previously, and not accounted for it—it is brought forward in our book as not being paid—I sent her a bill of 1*l.* 0*s.* 8*d.*—I received a paper from her, made out by the prisoner, that she only owed 3*s.* 5*d.*, so that my book will not tally—there does not appear a bill of 5*s.* 6*d.*—there is 3*s.* 4*d.* due from Mrs. Tills on the 11th of December—that is plain enough—on the 16th of December, here is 1*l.* 5*s.* 5½*d.* against Mrs. Bundey—I have a son twelve years old.

Q. Now I ask you, whether Grant was employed to take your husband's name off the cart, and paint on Mrs. Loader's? *A.* I do not know any thing about that—I was not in great distress when my husband went to prison—not particularly—I did get on—my husband returned to the Insolvent Court all the property he had—the broker came to the house about a fortnight after my hushand went to prison, which was in November—the prisoner's wages were 24*s.* a week—my husband was in prison till the 6th of January—the prisoner's wages were paid in the meantime—I paid them—I have no voucher for it—it is not the custom with us to have receipts for wages.

Q. On your oath, was the prisoner ever paid by you at any time 24*s.* for wages? *A.* On my oath he had, every Saturday night, what he had not drawn in the week—sometimes he would have 1*s.* sometimes 2*s.*, or 3*s.*, according to what he wanted—I never took any voucher—I did not enter it in any book—it is not the custom to do it—it is never done—we do not keep any book to put down those sort of things—I keep no books but what we call a ledger and day books—we have no book for entries of payment of flour, no further than the miller's own books—I have nothing to do with that—when we have flour in, it is put down on one side of the book, and when they receive the money, they put the money down on the other side—we keep no book at all.

Q. Had the prisoner, at any time, to raise money for you and your family, while your husband was in prison? *A.* Never—he was always too destitute himself, to be able to do it—he did not find corn for the horse

without my giving him money first to do it—he never pawned his coat to get corn for it—he never paid me 5*l.* in a lump—I swear that positively—he never produced an account to me, to the amount of 4*l.*, paid for me—nor of 22*l.* odd, paid for my husband—he never produced an account to me of the sale of the truck, nor of the horse and cart.

Q. Were you, at the end of November, in distress to carry on the business for want of money? *A.* Not more than common—I was in daily difficulty just then, but the creditors were such they would not allow me to be in particular distress—it was a dispute between my husband and his half brother, on which he was arrested—his brother sent him to gaol—I do not recollect any particular distress at the latter end of November.

Q. Did you, at any time, in the presence of Grant, tell the prisoner that you could not go on unless he could assist you with money? *A.* Never—the prisoner never went to his friends at Romford, to borrow 5*l.* for me, nor my husband—I never heard it—we might have been several times without bread or flour in the house, but I was obliged to find money to get it—I never had any assistance from the prisoner's friends—I always paid the prisoner 24*s.* a week—he was always in my debt—my husband was supported in prison the same as other people—very frequently I have not been able to supply him myself with money—he has been short of money, but he has had friends to do it, but I always paid the prisoner his wages.

Q. Did he make out a bill of 5*l.* 14*s.*, and produce it to you, or did you ever have in your possession a bill, made out by the prisoner to that amount? *A.* I had a bill, but it was not owing to him—the prisoner gave me the bill—I think it was on the night he left me, but I am not quite certain—I do not know where that account is—I did not take any notice of it, because it was not due to him, nor any of it—it was owing to the man who lent me a sack of flour, but the bread was so bad I would not pay the bill—it was a bill for flour and bread, which I had borrowed—it is the custom of bakers, when they borrow bread one of another, to return it back in bread—the account was made out in the prisoner's name, but I did not consider I owed it to him, and told him so—he said it was in his name, and he should expect to have the money for it—he did not tell me he had pledged his credit with the man for the flour—his credit would not fetch a sack of flour—he could not demand the money for it—he gave me the bill, but it was a mere form—I will not say on my oath, whether he asked me for the money or not—when it occurred I had no idea of this, and it passed on as a trivial thing—I think, the last time I saw him he demanded money on account of that bill—he certainly did not request me to pay him the amount of the bill—when he brought it he might mention the payment, but never after—he never sent Grant to me to request the payment of it—I never sold the truck to the prisoner for 50*s.*

Q. Now, after your husband went to prison, did you and the prisoner and Fulford carry on the business? *A.* I carried on the business, and they served me as journeymen—there were two horses, a cart, and a truck, at times employed in the business—there was money to carry on the business when my husband went to prison—I found money the whole time—there was no money left in the house—if the horses were without food, it was because the prisoner had spent the money which he had for that purpose—he was always supplied with what he asked for for them—he never took away the horse and cart by my desire, nor with my knowledge.

Q. Did you not more than once explain to the prisoner, that you could not carry on the business without means, and ask him to get what money he could on the horse and cart? *A.* Never—I did not ask him, after the name had been altered on the cart, to take them away, that they might not be found on the premises when the broker came—I never knew that they were gone, till he went away, on the 26th of December—I went round to the stable the night after he left, and then, for the first time, found the horse and cart gone—I cannot tell how long before I had seen them safe—I should say it was nearly a month before—I thought the horse and cart was being used in the business, but the cart was out of repair—he had put me to the expense of 22*s.* 6*d.* to mend the wheel, and then he said it wanted more repair, which he said would cost 7*s.* 6*d.*, and the bill was 22*s.* 6*d.*—so the next time when he said it was out of repair, I said, "You must do what you can without it, you must use the barrow, I am not going to spend so much money on the cart, there is a barrow, and there is a boy"—I did not tell him to do what he could with it—I did not tell him to remove the horse and cart before the broker came—there were two horses and a cart—they were not all assigned to my mother—one is the property of my sister—she bought it—it never was mine and my husband's—she bought it last April, and we used it from that time—my sister lived in the Strand—the horse was at our stable, and we had it from April till my husband went to prison, and till the 26th of December, when I missed the whole—the prisoner never pawned his coat to keep the horse alive—he did not pawn it for 12*s.*, about the 13th of November, to get food for the horse—I did not borrow 5*l.* of him on the horse and cart—nor fivepence—I never did so.

Q. Did you ever send anybody to collect accounts besides the prisoner? *A.* Not from these customers—the boy has distinct customers from the man—I never sent any strange person besides the prisoner and the boy to receive accounts.

Q. Did not the prisoner receive these accounts, and pay himself during your difficulties as well as he could? *A.* Never.

Court. *Q.* You say he drew money from time to time in the course of the week, did you allow him to retain money which he had received in collecting as money drawn? *A.* Never—he had it always over the counter.

Mr. Ballantine. *Q.* You have said you knew Dockerell who was brought into Court? *A.* I never saw him until now—Fulford was a boy in the bakehouse as well as the prisoner—I suppose Grant is an acquaintance of the prisoner's—I never made any communication to Grant at all—when Mrs. Freeman was applied to she had paid several sums—up to the 26th of December she owed by the books 1*l.* 0*s.* 8*d.*, at which time it appears it was only 3*s.* 5*d.*—I think I should know the prisoner's handwriting—I believe this to be his handwriting—(*looking at some bills*)—by these it appears he received 4*s.* from Mrs. Freeman—he has not accounted for that sum.

Court. *Q.* How much money do you think you received in all from the time your husband went to gaol till the prisoner left you? *A.* It is impossible to tell without looking through the books.

Mr. Ballantine. *Q.* Here is a bill which says, "Cash 5*s.*," do you know any thing of that? *A.* No—my daughter made out this bill—she is here—I do not know whose writing this "Cash 5*s.*" is—it is not my daughter's—I delivered this bill to the prisoner—here is "Bill delivered

7*s.*," another sum of 4*s.*, and another sum of 9*d.*—at the time I delivered it to him he did not say a word about having received 5*s.* cash for it—Mrs. Loader is not here to-day—she is unable to be out—I have a certificate from the doctor—I saw her on Saturday night—she was very ill then, as ill as she possibly could be—she fell down on the second day of the frost, and broke two ribs—she is between fifty and sixty years of age, and she cut her head so that it was very seriously fractured—I saw every word of this certificate written by Mr. Angus, of No. 26, Greek-street, Soho—the account given in it of my mother's health tallies with my observation—that is the only reason why she is not here to-day.

MR. CLARKSON. *Q.* Is this the very paper you produced before the Magistrate to show why she was not there? *A.* It was written by the doctor last Tuesday evening—he went to see her purposely—she walks about the house, but not in the street—she has not been out of doors—she goes from one room to the other—I asked the doctor if I might bring her here in a coach—her illness is the only reason of her absence.

MR. BALLANTINE. *Q.* You have been asked about the horses, have you a family? *A.* I have—I was not able to attend to the horses myself, the prisoner had the care of them—they were used in the cart—the prisoner never had any authority from me to part with the horses—he never paid me a farthing on account of them, if he did part with them—I did not know of their being parted with till the 26th of December—the bill of 5*l.* was for flour and bread I believe—I am now liable for that to the parties, and I expect to pay it—I was at the police-office, and had a solicitor attending for me—I acted under the guidance of those who attended for me, in what charges I preferred.

JAMES TOOME. I am the husband of the last witness. I was in goal during last December—I have since come out, under the Insolvent Act—the prisoner was in my service—he never accounted to me for any sums of money in December or after—he never paid me any money while I was in prison.

Cross-examined. *Q.* Did the prisoner ever come to you while you were in Whitecross-street? *A.* Yes—on the first Sunday after I was arrested he came there very much intoxicated, with my horse and cart at the gate—he drove my wife there—he was so tipsy I was glad to get rid of him—Mr. Evans, a baker, arrested me—he is a customer now—I dealt with him—his debt was 90*l.* when he arrested me—it was for rent over due—the rent of No. 8, Litchfield-street, Soho-square—I was to pay him 100*l.* a year rent for the house—I had lived there twelve months, as near as possible—I will swear I had been in it twelve months, or thirty years if you wish it—I was nearly born in the house—I was there twelve months as Mr. Evans's tenant—I cannot tell what month I went in, without my books—I could prove by my books—Mr. Evans is my half-brother—I was arrested at my house in Newport-street, some time in October—the latter end or middle—it was he who arrested me—he took me out of my cart that very evening, when the prisoner was driving me to my house—I had just done my business—I was not driving to Whitecross-street for the purpose of being met—we had quarrelled—it was a very extraordinary quarrel—it happened about two months before I was arrested—he had never arrested me before, and never thought of such a thing I should hope—I cannot tell the amount of my debts—you have got my schedule—I cannot tell you, I have so many things on my mind—I cannot tell within 200*l.* nor 300*l.*—when the

schedule was made up, there was a very trifling difference to pay—when the books were made up, they were nearly balanced, if the debts had been good—(*looking at his schedule*)—the amount of assets here is nearly balanced, that is, they are about 470*l.*—I believe that was left, only provided they could get the money—there are some bad and some good—it is nearly balanced if you will reckon all up—I had no value, of course, for rent—I could not pay that, because I had not the means.

Q. Did you hand over any thing to your creditors besides debts? *A.* I did—the furniture was taken at a valuation—what little there was you will find—the horse and cart has not been mine for twelve months this March—I had sold it to my wife's mother, in this shape, I had had some hundreds of her, and when I wanted more, she would not let me have it without compensation for it—the gentleman who wrote the note is here to prove she lent me 19*l.* 10*s.* on it—I could not get more money without letting it go that way—I owed my brother 90*l.* for rent—nothing else—I bought the business in Lichfield-street of him—I cannot say when—I think it was about six or seven months before I went into the house—I purchased the business before I went into the house—the reason I did not go in was because I had another shop in Pimlico, and could not attend to the two businesses till I disposed of the one at Pimlico—the prisoner came to me more than once in prison—he came about four days previous to my coming out.

Q. Did he tell you the difficulties he had had about the horse and cart? *A.* Not a word about it—I never saw Henry Moon till he forswore himself at Worship-street.

Q. Did he ever tell you, in the presence of Moon, that he had great difficulty about the horses, that they were unsaleable, and he could get but 50*s.* for one; and did you answer, "Why, if I had been you, I should have taken it?" *A.* I never said any thing of the kind—I never told him I must have done with the horse and cart, and he must carry on the business for me as well as he could without them—I should have thought him the last man to carry on the business for me.

Court. *Q.* Was your wife with him when he came with the horse and cart? *A.* Yes, on the Sunday after I was arrested—he was so intoxicated he could scarcely speak to me.

Mr. Clarkson. *Q.* Did you see him with the horse and cart? *A.* I was told by my wife and friends that it was at the gate, and they brought my luggage.

Mr. Ballantine. *Q.* There appears by your schedule 1600*l.*, and only 400*l.* owing to you—how do you mean the balance is nearly even? *A.* I did not expect at the moment that I was in debt to Watney, who lent me 350*l.*, to take possession of the house—I found 350*l.* to match with that, and 50*l.* it cost me to make out the lease—Mr. Watney told me he should never ask me for the money—that was what led me to say that the balance was nearly equal—it was never expected for me to pay the money.

Mr. Clarkson. *Q.* I believe you made the house over to your brother-in-law? *A.* My brother let me an under-lease—Mr. Watney holds that lease—my brother is a baker—he does not carry on business at present—he is a gentleman now—he served his time to an engraver, but lost his eyesight, and had to go to Bath to recover it—and afterwards he bought the business for 900*l.*—he never carried on any other business, to my knowledge.

COURT. *Q.* What do you mean by saying that if the debts were got in it would have pretty nearly balanced?—is the expenditure of the money you had, accounted for in your schedule? *A.* Yes—if the debts due to me had been paid, that, with the accounts I gave of my annual expenditure, would make out the money I had—I do not mean I could pay 20*s.* in the pound—I was not three minutes before the Commissioners—I was discharged.

MR. CLARKSON. *Q.* Were there any petitions? *A.* There were three, but they would not answer to their names, those that were there—I never had an attorney of the name of Collier—there was a man named Collier, an attorney, I understand, at Worship-street, but I never saw him at all—he came to prove about the horse and cart.

JURY. *Q.* Respecting the transfer of the horse and cart, was it an absolute sale, or a sort of pledge? *A.* An absolute sale, being in want of money—I had a memorandum of it—19*l.* 10*s.* was then advanced—I had had 300*l.* before—I considered that as a gift from her, and did not enter that in the schedule—it was previous to my taking the shop in Litchfield-street I had it of her—I had no occasion to account for it—I had it at various times.

(MR. CLARKSON *called the following witnesses for the Defence.*)

JOHN FREDERICK FULFORD. I was employed in the baker's business before Mr. Toome went to prison, and was there with the prisoner after—there was no money left in the house to carry on the business, to my knowledge, after Mr. Toome went to prison—there were only two or three sacks of flour—Mrs. Toome, the prisoner, and myself carried on the business as well as we could after he went to prison—a horse and cart was employed in the business, and there was one horse at grass, at Mr. Strange's, at Harrow—I recollect the horses being without food, and the prisoner got the money to furnish them with food—sometimes he asked Mrs. Toome for it—one Wednesday in particular he asked Mrs. Toome for money—she said she could not give him any, she had spent the last for a sack of flour—the prisoner said he would get some—he came down stairs and got a blue coat, and went to Long-acre, and pawned it for 12*s.*—I went with him—he laid 8*s.* of it out for corn—he told Mrs. Toome so—and he had the other 4*s.* for himself—I heard him tell her so, and she said, "Very well"—I heard him tell her he had pawned his own coat to get food for the horses—I was standing in the shop at the time.

Q. Now, I do not suppose you remember when Mr. Toome's name was taken off the cart? *A.* Two or three days before he went to prison—I remember the horse and cart being taken from the stable—Mrs. Toome knew that it was taken—I think Mr. Jackson was the broker who came—an execution was coming in—he said the things should go in Lagdon's name, and they should not touch her, nor the goods, nor the children—she was crying, and said nothing.

Q. Do you know whether the prisoner raised any money on the horse and cart? *A.* Yes—I was down stairs when the prisoner put some money on the table, and Mrs. Toome gave me back a sovereign, to get bread with—at that time there was not a morsel of flour or bread in the house—the prisoner told Mrs. Toome, on the Sunday morning, that he was going down to Romford, to his brother's, to borrow some money—his brother is the person who had the horse—I do not know whether he said the 5*l.* was to be borrowed of his brother on the horse and cart—he said he was going

down to his brother to borrow some money, and he went by the coach on the Sunday—I never saw the money paid—I saw five sovereigns and some silver put on the table on the Monday after—at that time there was no bread or flour in the house—Mrs. Toome was in great distress at the time, to have the means of carrying on the business—I have never heard Mrs. Toome apply to the prisoner for money to carry on the business with—I never heard her apply to him for assistance—on the Monday following the prisoner was gone somewhere, and two strange men were employed to carry on the business—to do what he did, to carry out bread—there was no flour in the house.

COURT. *Q.* Then, what bread could they carry out? *A.* She sent for a sack of flour to Mr. Grennall, the baker, in the prisoner's name.

MR. CLARKSON. *Q.* How do you know she sent for it in the prisoner's name? *A.* I was standing at the parlour door at the time—I do not know whether she could have got it in her husband's name—Charles Pink went for the flour—it came—I do not know the price of it—there was a truck on the premises—when Mrs. Toome desired the prisoner to put the horse and cart in a place of security, he was to put the truck with it—that was the day after the broker had been—the prisoner was going out of the shop at the time, and he said to her, "I will buy the truck of you"—she said, "I don't know what is the value of it"—he said, "50*s.* I shall give you for it; it is worth no more;" and she said, "Well, you may have it, Lagdon"—no money passed between them at that time—she said, "I will settle with you another day."

Q. Do you know whether at that time Mrs. Toome owed money to the prisoner? *A.* I believe she did—she was in the habit of paying his wages regularly every Saturday—she used to leave some in arrear.

COURT. *Q.* What do you mean by arrear? *A.* Left back.

MR. CLARKSON. *Q.* Was she very often able to pay him on Saturday? *A.* No—I was paid regularly—I had 10*s.* a-week.

MR. BALLANTINE. *Q.* Now about the coat—where was it pledged? *A.* I do not know the name—I believe it was at No. 66, Long-acre—I did not go into the shop—I waited outside—we went to two places with it—I cannot tell in whose name it was pawned—it is out of pledge now, I believe—the prisoner has not got it on—I know it was his coat, because he came from his own house with it on his back, and I had very often seen him wear it before his master went to gaol—he told Mrs. Toome he had pawned it—I do not know on what day it was, nor do I know the day he pawned it—he told her of it the same night as he pawned it—she was in the shop behind the counter at the time, and I was standing with the prisoner—there was nobody else in the shop—he came in along with me, and brought the corn in on his back—he said, "I have got some corn, and have pawned my coat, and got 4*s.* left out of the money"—she said, "Very well"—he did not tell her he had any claim against her at that time, to my knowledge—he did not say any thing about getting the money back again at that time—I did not hear him do so at any time.

Q. Have you heard him ask for his wages? *A.* He came up and stood with me—he did not ask, but Mrs. Toome put down his wages to him—I have not heard him ask for them—I have seen him paid his wages on a Saturday night—I have very often heard him ask for money during the week—sometimes he got 2*s.*, and sometimes nothing—I have not seen Mrs. Toome pay him money in the week, only on Saturday night—I re-

member once, particularly, his asking for 2*s.*—I do not know on what day that was—I cannot tell whether it was on a Saturday, or not, but I have often heard him ask her for money, not on a Saturday—he did not tell her he had any claim against her, when he asked her for money, to my knowledge.

COURT. *Q.* In what way was the account settled between Mrs. Toome and the prisoner on Saturdays? *A.* His wages were 24*s.* a-week—on two Saturday nights she paid him 12*s.*, and on one Saturday night, 2*s.* 6*d.*, and on two other Saturday nights nothing—she did not state that he had drawn money in the course of the week—when he asked for the 2*s.*, he said he wanted it for use, as he had no money, and asked the daughter if her mother could lend him 2*s.*

Q. "Lend him?" *A.* To let him have it—I was regularly paid—I was never in arrear—I have seen the prisoner account for the money received from customers—I have seen him account daily when Mrs. Toome had the book—it was his business to account every day, and he was in the habit of doing so, for what he received in the day, I believe.

Q. Has she advanced him money when he has paid money over to her? *A.* Not to my knowledge—I never saw it—I merely heard him tell her what he had received, and as I have passed, I have seen money on the counter.

ROBERT GRANT. I am a journeyman-baker. I know the horse and cart of Mr. Toome's—in September last it had his name on it—I was employed by Mrs. Toome to take it out, about the 13th, as near as I can guess—it was through being in the prisoner's company—I put "Elizabeth Loader" on it, and at the latter end of November I took out that name—on that occasion, the prosecutor's son, a lad named William, was present—I then put on it the name of "William Lagdon."

Q. Did Mrs. Toome see it in your presence after that alteration? *A.* No, never, not in my presence—she knew of the alteration being made—she gave me the office to do it in the prisoner's presence, because he made the objection to take the cart to his friends at Romford, with any other name but his own—I heard that observation made in the presence of Mrs. Toome—she directed me to take off the name of Loader, and to put Lagdon's on before he took it to Romford.

JURY. *Q.* Are you a painter? *A.* I write occasionally.

MR. CLARKSON. *Q.* Was the prisoner at any time absent at Harrow, about the other horse, which was there at grass? *A.* He was, and I used to supply his place at Mr. Toome's, on Sunday, while he was absent—the prisoner paid me for my services rendered in his place—I remember some conversation passing about the latter end of November, about Mrs. Toome being in distress to carry on the business—I was with the prisoner—Mrs. Toome said to him, "William, what shall we do for some money, or more money?"—he said, "I do not know, I am sure"—she said, "You must get me some somewhere, what will you do with the horse and cart, can't you sell them?"—(this was after the horse and cart had been taken to Romford)—he said, "I will try to get some, but they won't sell, they are both kickers, the people do not like the look of them"—she said, "Do what you like with them, take and get me some money somehow or other: money we must have, for we can get none till Mr. Toome comes out of trouble"—I heard that in Mrs. Toome's parlour.

JURY. *Q.* Had either of the horses been offered for sale at that time? *A.* They had several times—Mrs. Toome knew that.

COURT. How do you know that? *A.* I heard the prisoner tell her—he said 50*s.* was offered for them—that was for the kicker—that was for the horse that had been at Harrow, but it was at Romford at that time—I went with the prisoner to Romford, with the horse and cart—he has a brother living there, a farrier and veterinary surgeon—I saw him leave the horse and cart there—I did not see him receive the money from his brother—his name was on the cart when he left it with his brother—I did not see his brother give him any money on it—I came back with him to London, without the horse and cart—I did not see him give Mrs. Toome any money on account of the horse and cart.

Q. There is a charge here of his having embezzled 1*l.* received from Mrs. Marriott, did you receive that money? *A.* Yes, I did—from Mrs. Marriott, and paid it to the prisoner.

MR. BALLANTINE. *Q.* What are you? *A.* A baker by trade—I have no shop—I am a journeyman—I am in no employ at present—I was in employ last week, with Mr. Wickers—I do not know the name of the person I was with before him—I was a very little while with him—it was only jobbing—I have frequently seen Mrs. Toome, and she has seen me frequently—she knew my name—I was not in her employ—I was in her service as regards to her knowledge—the prisoner employed me—I got 1*l.* from Mrs. Marriott—I cannot say whether the prisoner accounted for that to his mistress—the prisoner, myself, and Mrs. Toome were present when the conversation took place about Lagdon's name being put on the cart—no one else—I cannot recollect what day it was—it was at the commencement of November—I painted the name of Lagdon—Mrs. Toome did not see it commenced—the prisoner was present when his name was put on—it was done in a yard in Crown-street, Seven Dials, about ten minutes' walk from Mrs. Toome's—that was not Mrs. Toome's premises.

Q. Why was it not painted at the premises where the cart belonged? *A.* It was expected it would be taken away by a broker of the Insolvent Court—I heard the prisoner say so in Mrs. Toome's presence—it had been taken from the stable to Crown-street to be done—I saw Mrs. Toome, and heard her conversing very frequently with the prisoner—I am an acquaintance of the prisoner's—I have known him six or seven years—I collected the 1*l.* by his request—Mrs. Toome had nothing to do with it—she knew I went round to serve the customers—I went round nearly every day with the prisoner—I went round with the prisoner, and she said to him several times, "Ask for money at such and such a place, and if you go, *Bob*, you ask for it, for we want money."

JURY. *Q.* Did not you say Mrs. Toome's son was present when the cart was painted? *A.* Yes—he was not present when Mrs. Toome desired it to be painted.

MR. CLARKSON. *Q.* Has the prisoner's character, up to the time you have known him, been very respectable for honesty and good conduct? *A.* It has.

WILLIAM DOCKERELL. I made out an account of 5*l.* 14*s.* in the name of the prisoner, as creditor of Mrs. Toome, by the prisoner's desire—it was for bread and flour furnished by the prisoner.

MRS. TOOME *re-examined.* I have heard the evidence of Fulford and the last witness—it is all false that they have said, in reference to my authorising the prisoner's name to be put on the cart, and authorising him to sell it, and giving me 5*l.*, or pawning his coat to get food for the horses—he never did so—I never authorised his having flour in his name.

HENRY MOON. I have known the prisoner about four months—I knew him when he was at Mrs. Toome's—I know he was desirous of disposing of the horse and cart—I do not know of the actual sale of the horse for 50*s.* at Smithfield—I went with the prisoner to see Mr. Toome in the gaol—that was about the middle of November—we saw Mr. Toome—I did not speak to him—the prisoner did—I did not introduce myself—Mr. Toome asked the prisoner if he had sold either of the horses—he said no, they were unsaleable—that he had been offered 50*s.* for one, and he said, "If I was you I would take it."

COURT. *Q.* Look at Mr. Toome—is that the person you have spoken of? *A.* Yes—I heard him say that—I did not hear him say any thing more—that is all I know about it.

MR. BALLANTINE. *Q.* What are you? *A.* An appraiser—I keep a house, No. 44, Grey-street—that is where I lived when I appeared at the Police-office—the prisoner did not tell me what he was going to Mr. Toome about—he did not introduce me—I was standing close by during all the conversation—it was quite clear that I was with the prisoner—the prisoner was sober at the time—he walked there.

MR. CLARKSON. *Q.* Have you any interest to come to swear, directly or indirectly, on the part of the prisoner? *A.* Certainly not.

COURT. *Q.* What time of day did you go to the gaol? *A.* It was after dinner-time, about three o'clock—I had met the prisoner at the bottom of Holborn-hill accidentally, and he asked me to go—I was going that way—he did not tell me why he wanted me to go—I was going over the water, and went with him—he said he was going to see his master—I had nothing to do with the transaction—I had never seen Mr. Toome in my life, that I know of—I was not introduced.

Q. You stood to overhear what passed? *A.* I did not stand to overhear, but I did hear—I dare say the prisoner was with him half an hour—that was all I heard—the prisoner went into the prison first, and I stood between the bars—Mr. Toome came to the bars with the prisoner, and said that—I did not go inside the gaol—I waited for him—Mr. Toome came to the bars, and shook hands with the prisoner, and said what I have stated—that was all I heard—it was at parting he said it, when the prisoner came away.

Q. What was the use of your accompanying the prisoner there? *A.* We were both going over the water together afterwards—I did not know from the prisoner when the horse and cart were taken to Romford—I have heard the prisoner say it was at Romford—I heard him say so at Marlborough-street Police-office—I knew nothing of it till then.

MR. CLARKSON. *Q.* You attended as a witness there? *A.* Yes.

HENRY LAGDON. I am the prisoner's brother, and am a farrier living at Romford—I have lived there all my life. I attended at the Police-office as a witness on this occasion—I remember my brother's bringing me a horse and cart down to Romford—that was in November—I really am not able to tell the day of the month—it was brought down, at first, with the intention of being turned out a little while—the cart had my brother's name

on it—a few weeks afterwards he came down to borrow some money, and I advanced him 5*l.*—that was on the security of the horse and cart—I cannot tell what day of the week it was—I afterwards purchased the horse and cart of him—I gave him 4*l.* 14*s.* in money, in addition to the 5*l.*, besides the mare's keep—it was six or seven weeks in my keeping—the mare was lame—I blistered her, and turned her into a large farm-yard, belonging to Mr. Talbot—I have brought her up with me this morning from there.

MR. BALLANTINE. *Q.* The mare is in your possession, and you consider yourself the owner? *A.* Yes.

COURT. *Q.* Were you not surprised at his having a cart with his name on it? *A.* I rather doubted it at first—he told me he bought it for a debt from his master, for money he owed him—it was worth 4*l.*

MR. CLARKSON. *Q.* Was it an old one? It was very much out of repair.

MRS. TOOME *re-examined.* *Q.* Did the prisoner account to you for the sale of the horse and cart for 5*l.* or 4*l.* 14*s.*? *A.* Never—not in any way whatever.

GUILTY. Aged 30.—Confined One Year.

Before Mr. Common Sergeant.

850. FRANCIS AUGUSTUS PHILLIPS was indicted for feloniously forging a certain request for the delivery of goods, to wit: for 1 two-guinea cake, 4 dozen mince-pies, and also characters, with intent to defraud George Miner.—2nd COUNT, for uttering the same, well knowing it to be forged.

MR. CLARKSON *conducted the Prosecution.*

GEORGE MINER. I am a confectioner, and live at No. 77, Cheapside, which joins Bucklersbury. I succeeded Mrs. Pontin in the business two years ago—"Miner, late Pontin," is over the door—I know of no other Pontin, a confectioner, in London, and none in the Poultry—on the 6th of January I received this twopenny-post letter—(*read.*)

"*6th Jan.*, 1838. To Mr. Pontin, Confectioner, Bucklersbury. Dr. Gray requests Mr. Pontin will send him up one of his very best two-guinea cakes, four dozen mince-pies; also characters. No. 1, Salter-street, Cannon-street-road."

Witness. I sent my servant, Landham, with a two-guinea cake and four dozen mince-pies—I forgot to send the characters, and about an hour after, I went myself with the characters to No. 1, Salter-street—the prisoner opened the door—I asked him if that was No. 1—he said it was—I told him the characters were forgotten to be sent with the cake from No. 77, Cheapside—he said Dr. Gray lived there—I told him to take particular care of the cake and of the ornaments, as they were easily broken—he said he would; that Dr. Gray was not at home, as he was called out to attend to a lady, and would be at home about ten o'clock—he said the cake was to be sent to Dr. Gray's private residence at the West-end, and that Dr. Gray would call on me on Monday—I heard nothing about it on Monday—I went to the house again a fortnight afterwards, and found nobody there—the house was shut up, and a paper on the shutters about its being opened in a large extensive business, shortly, in the patent medicine line—my pies and cake were worth 3*l.* 6*s.*

Q. What was it induced you to send your goods there, and give credit? *A.* Receiving that letter—if I had known there had been no Dr. Gray I should not have parted with my goods.

Cross examined by MR. ADOLPHUS. *Q.* Had you no previous acquaintance with Dr. Gray? *A.* None whatever—it was what was written in the letter induced me to part with the things—it came by the twopenny-post—I succeeded Mrs. Pontin two years ago on the 10th of May—she was a widow—she had carried on business there twenty years with her husband—I did not know her husband—orders and bills are often delivered to me in the name of Pontin—my journeyman, who is at home, had lived with Mrs. Pontin.

JAMES LANDHAM. I am porter to Mr. Miner. I took the cake and pies, on the 6th of January, to No. 1, Salter-street—a female opened the door to me—I should not know her again—I asked her a question, and got an answer, and then proceeded to take the cake and pies out of my box—the prisoner then came up and said, "It is quite right"—I had a bill of parcels with me—I did not make it out—I gave him the bill—I cannot say whether he looked at it—I asked for some dishes to put the things on—none were produced, but a tea-tray was brought—I put the cake and four dozen of pies into it—the prisoner said Dr. Gray was not at home—he said he would give the bill to his master, Dr. Gray, as soon as he came in—he said his master was going to take them to his country residence, and that he had lived four years with him—when I put the cake and pies on the tray, the prisoner asked me where the twelfth-cake characters were—I said I would bring them—I had said nothing to him about what was in the letter.

Cross-examined. *Q.* Do you mean to say that the prisoner ever mentioned the name of Dr. Gray, or did you say "Here are the things for Dr. Gray;" did the words Dr. Gray ever come out of his mouth? *A.* Yes; he said he had lived with Dr. Gray four years, and that he was a very curious man to live with—he knew him well.

HENRY STAPLES. I am a butcher, and live in Ratcliff-highway. The house No. 1, Salter-street, belongs to me—I let it about six months ago to Thomas Phillips—the prisoner is the man—I have never had any rent—I did not know of his going to leave it—I never heard of Dr. Gray as being the tenant.

Cross-examined. *Q.* Did you ever go by the house? *A.* Yes, several times—there was a bill outside it, about opening it as a medicine shop—I cannot say whether that was before or after the parties left—it was at the parlour window—I think it was before Christmas—the name of Dr. Gray was not mentioned on the bill—I objected to its being a medicine warehouse, having let it as a private house—I never heard of Dr. Gray—the house was let at a half-quarter, and the prisoner went away just a few days previous to the half-year being due—I did not inquire about his character myself—I sent a friend to do so.

MR. CLARKSON. *Q.* Did you know he had ever been in the police force when you let him the house? *A.* No, or I would not have let it him.

WILLIAM GRAY. I am not a doctor of medicine, nor a Dr.—I come from the poor-house of St. George's East—I have been in the Manchester trade—I lodged with the prisoner at No. 1, Salter-street, Cannon-street-road—I paid him 3*s.* 6*d.* a week—his sister, his wife, and himself lived in the house besides me—I occupied part of a room on the first floor—I

merely slept there—I first went there early in November—the prisoner was the landlord—there was no other lodger—I never passed by the name of Dr. Gray—I never gave any one authority to write a request for the cake and pies in the name of Dr. Gray—I know nothing of this letter—I did not write it, nor authorise any one to write it for me—I have not had a country house any where, nor one at the West-end—I was not attending any lady on Twelfth-night last—the prisoner was not in my service for four years—I knew him before I went to lodge with him—he was not my servant—I do not know what became of the cake and pies.

Cross-examined. *Q.* How long have you been in the Manchester line? *A.* Twenty-eight years back (I am fifty years old)—I have been in no settled business since that—I lived with my friends some time at Eaton College, where I was born—I lived in Chapman-street, St.. George's, before I went to Salter-street—I have been in town three years—I sold patent medicines for Mr. Cosgrave, in Cheapside, three years ago, as agent—they were done up in boxes, and I used to call for them—he used to allow me a commission—I dealt in them between two and three years—I delivered them at a number of respectable houses for sale—I was never in any other concern—I know Cushion-court—I never was in any business there, nor connected with any persons who were—I am quite sure of that.

Q. Were you interrupted by Mr. Deputy Corney when attempting to sell some cruets? *A.* No, I was not interrupted—I was not selling any cruet-stands at the Blue Anchor, in Wormwood-street—I have not lived in any particular place in this neighbourhood—I did live in the Fleet Prison, but that is five years ago—I was there several years—I should think near upon nine—I was discharged at last by the plaintiff's solicitor—I have been acquainted with the prisoner between two and three years—that was while I was an agent for the quack medicines—he did not assist me in that—I went to lodge with him at the house in Salter-street—I did not get goods there from different people, nor did I try to do so—I know Mr. Floyd, a coal-merchant, by name—I owe him for two tons of coals—I had them on the 16th of November, while I was at Salter-street—I consumed them there—I did not sell them—I might have sold 2 or 3 cwt. of them to a housekeeper—he asked me to accommodate him with 2 or 3 cwt.—I never applied to any wine-merchant to send me goods.

Q. Do you mean to say that you never went by the name and appellation of Dr. Gray? *A.* Never, to my knowledge—I was never called by that name, nor ever answered to it—I know the Free Trader public-house in Chapman-street; it is a quarter of a mile from Salter-street—I go there sometimes—I did not go there on Twelfth-day—I might very likely go there soon after—on my oath, I did not take any twelfth-cake with me.

Q. Did you go there soon after Twelfth-day, and give some of the company twelfth-cake? *A.* I did not—I do not know a man named Wells—I never saw such a man—I know Wells, of Windsor—I do not know Robert Wells, a glass-dealer in Chapman-street—I do not know one Callas—I am positive I was not in the public-house with any twelfth-cake.

Q. Did you or not, when asked how you got the twelfth-cake, say you had *maced* them out of it? *A.* No, certainly not—I never said so—I do not know what it means—I was not talked to about the note which was written to the confectioner—I do persist in saying I knew nothing about it till I saw it in the Magistrate's hands—I had not pawned my spectacles about Twelfth-day—I had lent them—they did not get to the pawnbroker's

—they were not of that value—I did not get them again—I cannot read without them—I lent them to the landlord of the Free Trader—I do not know of the spectacles being in pawn at all—they certainly never were pawned by me—I have not asked the landlord for them back again—when I have occasion for some, if there is any person in company, I borrow others—I merely lent them to the landlord to accommodate him—I did not give them to him as a deposit, because I had not sufficient money—I lent them to him in the street, just before I went to the poor-house, about the 15th of January, not before—I never was called Dr. Gray at the public-house—the note is not my writing, nor did I authorise anybody to write it—it looks a good deal like the handwriting of the prisoner's brother—I have seen him write—he did not live at the house—he is a clerk to some solicitor, and is, perhaps, thirty-two or thirty-three years old—I should think the prisoner is twenty-seven or twenty-eight—I think he is more than twenty-two.

MR. CLARKSON. *Q.* Was the prisoner's brother in the habit of coming to the house in Salter-street? *A.* Yes—I owed for the coals during the time I lived at the prisoner's house—they were burnt at his house—he knew I sold part of them—no goods ever came to me there—I know nothing of Wells or Callas—if I were to see them, very likely I could tell if they were in the habit of coming to the house.

Q. Had the prisoner the slightest reason on earth to believe you were a doctor, or pretended to be one? *A.* No—I was seeking a situation while I was at the house—the prisoner knew that—he knew I had not a shilling in the world, except what I got by my daily labour.

GEORGIANA PHILLIPS. I am the prisoner's sister. On the 6th of January I was living at No. 1, Salter-street—he was not living there when he was taken up—I heard of his being taken up—I was living with my mother, then, in Stoney-street—I left Salter-street about the 15th or 16th of January—the prisoner left at the same time, and did not go back—I went to the police-office as a witness for him—I was called by his attorney to prove something for him—I have seen this letter before—(*looking at it*)—I saw it on the 6th of January, the day it was written—I do not know that was the day it was written, but it was the day I saw it in Mr. Gray's hands—my brother was by at the time—I was bound over by the direction of the attorney for the prosecution—I saw the cake, and the pies, and the characters, in the presence of my brother.

Cross-examined. *Q.* You say you saw the letter in the presence of the prisoner, in Gray's hand? *A.* Yes, Gray read the letter, and said it would do—I cannot say what further passed—I do not know who kept the letter, for I left the room at the time—Gray has gone by the name of Dr. Gray—I have heard my brother call him so, and he answer to it.

JURY. *Q.* In jest? *A.* Yes.

MR. ADOLPHUS. *Q.* Do you know who wrote the letter? *A.* The first I saw of it was in his hands—I saw the cake—I cannot say who had that—I saw it at the house—I did not see it cut by anybody—I saw Gray with some of it on Sunday morning—he did not say any thing about it—I was not in the room long—he took some of it out that morning—I do not know what was done with the four dozen mince pies—I lived in the house all the time my brother lived there, and all the time Gray lived there.

Q. Do you know of Gray writing or sending any letters for goods to any body? *A.* I do—I have heard him read them more than once—no such let-

ters had ever been written before Gray came there, my brother wrote so badly—my brother never wrote to tradesmen for goods—he was in the police a little time, and then he was at the Docks, but he has always been with his family, till very lately—he has been with my brother, who is a doctor in the West Indies—he has been there for two or three years.

MR. CLARKSON. *Q.* Then there is a Dr. Phillips? *A.* No, his name is Aquilla—he has a shop—Gray was in the habit of writing letters for goods at Salter-street, and after writing, he used to show them to my brother—he read them to him, and my brother used to refuse to take them—it was to get goods—I used to speak to my brother about them.

Q. I suppose you turned Gray away directly you found it out? *A.* I had nothing to do with it—my brother did not share the coals—he never shared any thing—I first saw this letter in Gray's hands.

Q. Was the letter shown to Gray? *A.* I saw it in Gray's hands.

COURT. *Q.* Now, you have stated that you saw Gray first with the letter? *A.* Yes—he had it—I have said I do not know whether the letter was shown to Gray, that is right—I do not know whether my brother showed it to him—I made a deposition before the Magistrate—this is my deposition—(*looking at it.*)

Q. Did you swear before the Magistrate that the letter was shown by your brother, (the prisoner,) to Gray? *A.* I do not know whether I did or not—I do not think I did.

The witness's deposition being read, was as follows :—

"The letter was shown to Mr. Gray—my brother (the prisoner) showed it to Mr. Gray."

Q. Now, having heard that, do you still say you do not know whether your brother showed the letter to Gray? *A.* I do not remember that portion of it—I do not remember it—it was the first time I was ever in a place of the kind, and I was rather confused—the cakes were eaten in the house.

THOMAS WATKINS (*police-constable K* 42.) I saw the prisoner at the Police-office when he was apprehended—he asked to speak to me—he had been formerly in our force, and was discharged about ten weeks ago, to the best of my recollection—the first thing he said was, "Here is a *go*"—I said, "What are you in for?"—he said, "I hardly know"—I said, "The two letters you sent will go against you"—he said, "I shall contradict that; would not you if you were me?"—I said, "No, I should speak the truth"—I came out, and when I came out, he said, "Do what you can for me"—I said, "It is not in my power"—I have seen the prisoner write pretty often.

MR. ADOLPHUS. *Q.* Did you ever see him write more than his name? *A.* Never—it was when he went to sign his name to the sheet for his pay.

MR. CLARKSON. *Q.* Do you believe this letter to be written by him? *A.* I do.

Cross-examined. *Q.* How long had he been in the police-force? *A.* About three months, to the best of my recollection—I have been in it ten months—he may have signed his name a dozen times in my presence.

MR. CLARKSON. *Q.* Do you believe, on your oath, that it is his writing? *A.* Yes.

GEORGE HARRISON (*police-constable K* 15.) I took the prisoner into custody, (from information I obtained,) in Louisa-street, Stepney, about a mile from Salter-street, on the 7th of February—I told him the charge—he said Dr. Gray had ordered a cake, and he believed had paid for it,

for he took one in—he said Dr. Gray was to have been his partner—I told him he must come to the station-house and explain it—he said they could only make a debt of it.

WILLIAM CLAY (*police-constable K* 278.) I saw the prisoner at the station-house when he was brought there—I said to him, "You have been getting some plum-cake and mince-pies"—he said, "No, I have not"—I said, "You have"—he said, "I have not"—I said, "Do you mean to say you have not received any?"—he said, "I did not"—I said, "The parties are coming as witnesses, that can swear to you positively, both the master and the porter"—he said, "If they can, let them"—that was all he said.

JAMES WILLIAM YORK (*police-constable K* 235.) I have seen the prisoner write—I remember him in the police—I believe this letter to be his writing.

Cross-examined. *Q.* On what occasions have you seen him write? *A.* I have seen him write in the station-house, two different times, on his own business—I did not read what he wrote—I was about two feet from him—the writing I saw him write corresponded exactly with this.

MR. CLARKSON. Q. Do you believe this letter to be his handwriting? *A.* I do firmly believe it—it corresponds with it exactly.

GUILTY of uttering. Aged 22.—Judgment Respited.

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851. JOHN MORGAN was indicted for feloniously receiving, on the 5th of February, of a certain evil-disposed person, 7 umbrellas, value 3*l.* 10*s.*, the goods of Ebenezer Kirk, well knowing them to have been stolen; against the Statute, &c.

EBENEZER KIRK. I am an umbrella-maker, and live in Gough-street, Clerkenwell. I lost twelve umbrellas from my shop on the 6th of January—these are seven of them—(*looking at them.*)

Cross-examined by MR. PAYNE. *Q.* Have you any mark on them? *A.* I know them by my own workmanship, they are my own make—I never saw any of the same appearance or kind—I have only sold one of this sort.

SARAH KIRK. I am the wife of Charles Kirk; the last witness is my son. On the 6th of January I went to bed at half-past ten o'clock at night, leaving the front parlour shutters fastened, and about twenty minutes after seven o'clock in the morning I found them forced open by a chisel, a pane of glass broken, and twelve umbrellas taken—I had seen them safe the night before.

THOMAS SEAL (*police-constable G* 16.) On the morning of the 7th of February, from information, I went to No. 8, Peter-lane, Cow-cross, where the prisoner lives—I told him I had come to search his place, from information I had received, for a robbery—I did not say what I came to search for—he said he knew nothing of any thing stolen—I proceeded to search the place, and in the back parlour, behind the shop, in a small nook between the side of a chest of drawers and a cupboard, at the back of the nook I found three of these umbrellas; and up stairs, behind a bed, near a window, I found four more—I asked him where he got them—he said from a man in Petticoat-lane—I asked if he though the could find the man—he said he did not think he could, that he got them in the way of trade.

Cross-examined. *Q.* When did he say that he did not know any thing

about any thing that was stolen? *A.* When I first went in—the robbery was on the 6th, and this was on the morning of the 7th.

(—— Ridout, shoemaker, Owen-street, City-road; James Blunt, Queen's Head, St. John-street; Edward James, dairyman, Peter-lane; Thomas White, carpenter, No. 3, Peter-lane; and Edward Jones, coffee-shop keeper, Peter-lane, gave the prisoner a good character.)

GUILTY. Aged 35.—Transported for Seven Years.

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852. JOHN MORGAN was *again* indicted for feloniously receiving, on the 3rd of February, of a certain evil-disposed person, 13 yards of silk, value 1*l.* 4*s.*; the goods of Henry Lumley, well knowing it to have been stolen; against the Statute, &c.

MARTHA LUMLEY. I am the wife of Henry Lumley, and live in Northampton-street, Clerkenwell—we deal in ladies' wardrobes. On Saturday, the 3rd of February, about a quarter-past eight o'clock in the evening, in consequence of information, I went into the street, and examined my parlour window—I found it broken sufficiently to admit a man's arm, and missed about thirteen yards of silk—I had seen it safe at twenty minutes after seven o'clock—(*looking at the silk*)—I can swear to this—I know it by the selvage in particular, and my servant can prove it also.

Cross-examined by MR. PAYNE. *Q.* You did not make the selvage? *A.* No, but I particularly noticed it—there are several little spots in it, which none but those who looked particularly at it could notice—and there is a particular cut at one end of it—it is jagged very much—I said, before I saw it, that I should know it by a particular cut in it.

LAURA OLIVER. I am servant to the prosecutrix. I have examined the silk, and have not a doubt it belongs to her—I know it by the cut.

THOMAS SEAL. I am a police-sergeant. I went to No. 8, Peter-lane, Cow-cross, on the morning of the 7th of February—I was searching the shop, and saw a quantity of rags and pieces of old coats and trowsers, under the counter, and under them I found a box, locked—I asked the prisoner for the key—he said he had not got it—I proceeded to break it open, and some distance down, covered with flannel and other articles, I found this silk—I did not ask how he came by it.

Cross-examined. *Q.* What did you go there to look for? *A.* For stolen property, it did not matter what—I had information—I had apprehended a brother-in-law of the prisoner's the evening before, who referred to him (the prisoner) for a good character—I did not know of Kirk's robbery when I went, nor of this—I did not take away all his property—I took the wedding-ring off his mother's finger, and a keeper—I do not know how much property I took away altogether—perhaps 60*l.* or 70*l.* worth—I took it to the station-house—a large portion of it has been identified as having been stolen from different people—I cannot exactly say what has been identified—I think a quantity of table-cloths with marks picked out, and towels and other things.

COURT. *Q.* You took the wedding-ring and keeper; had you any reason for that? *A.* Yes—I thought it was stolen, having had a description of the same sort of keeper—I took nothing but what I suspected was stolen—it is at the station-house now.

Prisoner. The box was not covered at all. *Witness.* It was covered with rags—I have a witness who was present.

Prisoner. *Q.* Did not I tell you I bought the articles in Petticoat-lane, in open market? *A.* That referred to the umbrellas.

Prisoner. When he asked me for the key I could not find it, and asked my wife for it—there was nothing near the box, and I told him to break it open—my wife kept the key—I bought the things in open market, where anybody can buy—nobody has a better character than I have—I am as innocent of it as any man in the world—there is a fair held in Petticoat-lane in the afternoon—all strangers go there, and pawnbrokers' goods are brought there for sale.

GUILTY. Aged 35.—Transported for Seven Years more.

(*See page* 691.)

NEW COURT.—*Monday, March 5th,* 1838.

Sixth Jury, before Mr. Sergeant Arabin.

853. HENRY SEWELL was indicted for embezzlement.

JAMES WEST. I live at No. 10, Princes-street, Bedford-row, and am a cabinet-maker—my work-shops are in Mortimer-market. I took the prisoner out of compassion—he was very destitute—he had been with me about eight months, as errand-boy—he was not capable of doing any thing else—I have occasionally sent him to receive money on my account—I have some houses in Princes-street—I had occasion to send to a tenant for my rent—I sent a witness to receive this 6*l.* 10*s.*, and to hand it to the prisoner to bring to me—the prisoner was present when I told the witness to go for it—I saw nothing of the prisoner again till last Thursday evening, when he was taken—I lost sight of him all that time.

WILLIAM HENRY LITTLE. I got 6*l.* 10*s.* for the prosecutor—I gave it to the prisoner, for him, on the 10th of January—he was sent to get it from me.

GUILTY. Aged 26.—*Recommended to mercy by the Prosecutor.*
Confined Three Months.

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854. JOHN ARNOLD was indicted for stealing, on the 27th of February, 1 pair of boots, value 6*s.*, the goods of Solomon Cohen.

FANNY COHEN. I am sister to Solomon Cohen—he is a general dealer, and lives at No. 48, Long-lane, Smithfield. On the 27th of February, about eleven o'clock in the morning, I saw the prisoner near the shop—he walked to and fro for half an hour, and then took a pair of boots from the side of the door—he ran away—I went after him, and found these boots on the ground—other persons hallooed, "Stop thief"—the prisoner only carried them to the first turning, which is hardly any way from the house—I saw him take them, and saw them on the ground—I did not see him drop them—he was taken immediately—I am quite certain he is the same person.

THOMAS LYON. I was passing the gateway which leads to Cloth-fair, when the prisoner came hastily by, put these boots down, and ran away—the last witness came up immediately, before I had time to think—she cried, "Stop thief," and took up the boots—I am quite certain he is the person who put them down—he was taken almost immediately.

Prisoner. It is the first time—I hope you will have mercy on me, and I will never come here again.

GUILTY. Aged 24.—Confined Six Weeks.

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855. ESTHER BIGGS was indicted for stealing, on the 26th of February, ¾ yard of lace, value 1*s.* 3*d.*; 1½ yard of edging, value 2*s.*; 14 oz. weight of raisins, value 5*d.*; 1 piece of braid, value 1½*d.*; 14 hair-pins, value 1½*d.*; 1 shilling, and 3¼d. in copper money; the goods and monies of Frederick Barfield Edmunds, her master.

Amelia Ann Edmunds. I am the wife of Mr. Frederick Barfield Edmunds, and keep a shop at No. 38, Commercial-road. The prisoner was our servant of all work, for three weeks and four days. On Thursday evening she was sent out, and on her return she handed a silk handkerchief to her master, and said she had found it—he asked her what she was going to do with it, whether she would sell it—she said she did not care—he offered her 6*d.*—she would not take that—he offered 9*d.*—she took that—Saturday was a busy day—on Monday I missed several things, and, among the rest, a book—I inquired for it—she said she knew nothing about it—I then searched, and found these things secreted—I called her, and said, "Sarah, how could you take these things from my work-box?"—she said, "I did"—she made no denial—she owned it before the Magistrate—I found them under her bed—she had no box whatever—she was lying on the floor—I found the raisins in a cupboard under the stairs, that was never used—I have lost a number of other articles, which I have not found—I found a pudding made with the same sort of raisins, which she said her sister made her, but her sister denied it—the prisoner was a very artful, bad girl—I found a shilling with the other articles—she said the shilling was not mine, but on the Friday she had told me she had no money.

Samuel English. I took the prisoner into custody.

NOT GUILTY.

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856. WILLIAM RYAN was indicted for stealing, on the 19th of February, 1 copper boiler, value 15*s.*, the goods of Joseph William Appleyard.

George Waddington. I am an officer. On the afternoon of Monday, the 19th of February, I met the prisoner, with two others, in Bath-street, carrying this boiler, full a mile and a half from the prosecutor's—I asked where they were going—one of the others said, "I am going to this one's father's (meaning the prisoner) to see what he will give for it"—I then took the prisoner and the boiler—they said they were going to Brook's-market—I said they were going away from it, and I would take them—I told the elder one to follow me, which I thought he would, but he went off—I knew him well before.

Joseph William Appleyard. This boiler is mine—it was in a cottage of mine in Albion-fields, Maiden-lane—I saw it secure on the Friday, and on Monday, the 19th, I found the place had been broken, and the boiler and several other things gone—the other things have not been found—I had fastened the place up with a padlock, and it had been forced off the door.

GUILTY.* Aged 17.—Transported for Seven Years.

857. JAMES KILBEE was indicted for unlawfully, knowingly, and designedly obtaining, from William Wild, on the 12th of December, 40 sovereigns, 8 half-crowns, 6 shillings, and 1 sixpence, with intent to cheat and defraud him thereof; to which he pleaded

GUILTY. Aged 28.—Transported for Seven Years.

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858. JAMES KILBEE was *again* indicted for stealing, on the 10th of January, 5 sovereigns, and 2 half-crowns, the monies of William Wild; upon which no evidence was offered.

NOT GUILTY.

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859. WILLIAM SMITH was indicted for stealing, on the 27th of February, 1 pair of gaiters, value 6*s.*, the goods of Charles Frederick Crawley; and that he had been before convicted of felony.

CHARLES FREDERICK CRAWLEY. I live at No. 26, Bedford-street, Red Lion-square, Holborn, and am a tailor and breeches-maker. On the 27th of February the prisoner came to my shop, and asked me how I did—I have known him twelve or thirteen months—I kept on writing, and, while he stood talking to me, he took one of these gaiters out of the window, and asked what I charged for them—I said, "Six shillings"—I thought he had put it into the window again, but when I turned round to take the ink-bottle back, he opened the door, and I saw the edge of the gaiters as he went out—I went round, and saw him at the end of the street—I lost sight of him, but I gave information to the police, and he was soon after taken—these are my gaiters—(*looking at them.*)

THOMAS REEVE. I am a pawnbroker. The prisoner brought these gaiters to my shop on the 27th of February, and I stopped him with them—he said he made them himself—I gave information to the police.

JOHN DAVIES WHITE (*police-constable G* 46.) I got this certificate of the prisoner's former conviction from Mr. Clark's office—(*read*)—I was a witness at the trial—the prisoner is the person.

GUILTY. Aged 19.—Transported for Seven Years.

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860. SUSAN WILSON was indicted for stealing, on the 1st of March, 1 coat, value 1*l.*, the goods of William Nunn.

WILLIAM NUNN. I am a ballast-heaver. On the 1st of March I met the prisoner in company with a friend of mine, a ballast-heaver, between one and two o'clock in the day—we stopped and talked together—I had been receiving my money, and had a pound of steaks in my hand, which I had bought for my dinner—I said, "I must go and cook them"—he said, "You may come to our place"—I went with him to Twine-court, Shadwell, which was just opposite where we were talking—we all went into the lower room—there was a good fire, and we cooked the steaks and ate them together—I said to my mate, "I must go and get some sleep"—I was fatigued through heavy labour—the landlady said, "There is a good bed up stairs, you may go and sleep as long as you please"—I went up, and left the man and this woman sitting by the fire in the lower room—I took off my coat, and spread it on the bed-clothes—I put my trowsers under my head—before I got to sleep, a lady came in and said she would take part of my bed—I declined it—I said I wanted to

sleep—another came, but I declined her—the prisoner then came, and said the young man was going, and she would come and take part of the bed, if I pleased—I said no, I wanted rest—she then went away, and in about a quarter of an hour I missed my coat—I did not see who took it—when I missed it I got up, went down, and saw the other two women who came up to me, but the prisoner was not there—the prisoner came back in a minute or two, while I was talking about the coat, with the duplicate in her hand—I said I had been robbed, and would get an officer—she said there was no occasion for that; she had got but 5*s.* on it; I might go and get it—I said I did not want that, I wanted my coat—she then turned out of the door, and dropped the ticket—I would not take it up—she turned back, took it up, and *tucked* it into my waistcoat pocket—this was but a few steps from the main street, and I saw an officer, and gave her into custody.

Prisoner. I went up stairs, and went to bed with him—he gave me the coat to pledge—he told me to pledge it, for what money he had about him was not his own.

THOMAS SOAMES. I am a pawnbroker. I took in this coat from the prisoner.

Prisoner. You did not—it was your master. *Witness.* I took it in myself—she said she pawned it for John Bennett, No. 2, Twine-court.

DANIEL SULLIVAN (*police-constable K* 127.) The prosecutor called me in, and I took the prisoner on a charge of pawning the prosecutor's coat—he was not quite sober.

Prisoner's Defence. He gave me the coat to pledge.

GUILTY.* Aged 25.—Transported for Seven Years.

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861. WILLIAM BELL and MARY BELL were indicted for stealing, on the 2nd of February, 1 bed, value 2*l.*; 3 blankets, value 5*s.*; 2 sheets, value 5*s.*; 2 chairs, value 3*s.*; 1 saucepan, value 1*s.*; 1 looking-glass and frame, value 4*d.*; 1 counterpane, value 7*s.*; 1 pail, value 1*s.*; and 1 candlestick, value 1*s.*; the goods of John Giles.

MARY ANN GILES. I am the wife of John Giles—we let lodgings. On the 27th of January I let the female prisoner one room—the things stated were part of the furniture of the room—I have known her some time as a married woman, but the male prisoner is not her husband—she represented to me that her husband was to live with her, but I did not see any man there—she was to pay me 3*s.* 6*d.* a week—her husband's name is M'Carthy—she left me before the week was up—she came on Friday, the 1st of February, and asked me to lend her a book, which I did—the next morning they were gone, and on Sunday morning I missed this property—I found the sheets, the bed, a pair of blankets, and a boiler, at the pawnbroker's, and they gave them up—I do not know who pawned them, but they are my things—neither of the prisoners told me where to find them.

AMELIA HERRING. I keep a broker's shop. The female prisoner sold me two chairs, on Friday night, the 1st of February—these are them—(*producing two chairs.*)

SARAH PERHAM. I am a married woman—my husband is a painter, and lives in Well-street. He had some business at the prosecutor's house—I saw the prisoners there together, and conversed with them there.

JOSEPH CRICKS (*police-constable H* 102.) I apprehended the woman on

Monday last—she was remanded—I went to the lodgings, and found the property was missing—that was the room they had occupied since they left the prosecutor's—the man was then in custody on another charge—I did not take him.

JOHN LOVE (*police-constable H* 160.) I took the male prisoner on another charge.

Mary Bell's Defence. We were three days and never broke our fast—it is the first time we were ever in trouble—it is the first offence—we never shall be seen here again.

MARY BELL—GUILTY. Aged 28.—Confined Six Months.
WILLIAM BELL—NOT GUILTY.

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862. WILLIAM BENNETT was indicted for stealing, on the 1st of March, 1 handkerchief, value 2*s.* 6*d.*, the goods of Thomas Barker.

THOMAS BARKER. I am a ship-broker, and live at Mile-end. On the 1st of March I was in an omnibus—I got in at Coventry-street, and got to Mile-end-gate at twelve o'clock at night—in my progress I had dropped a half-sovereign—I missed it opposite the London Hospital—when I stopped, I told the conductor I had missed it, and he said, when he got a light he would look for it—a candle was got—we looked, and found the half-sovereign—just as I got through the gate, I missed my handkerchief, and returned to the omnibus—I had to put my handkerchief down to kneel on it, to look for the half-sovereign—I went back, and said, generally, that I had lost my handkerchief—I got in, and could not find it; but soon after that, the handkerchief was given to me by the policeman, who is here.

Cross-examined by MR. PHILLIPS. *Q.* I believe it is possible you may have dropped it in the street, without knowing it? *A.* I might have done it—I do not know whether the prisoner was the conductor, but the conductor gave me assistance to find the half-sovereign; and when I told him I had missed it, he offered to stop, but he said we should get to a light presently, and he would look for it—I have not the least idea that the conductor had any idea of stealing any thing—if he had been dishonestly inclined, he might have taken the half-sovereign.

HENRY PARKER (*police-sergeant K* 10.) I was on duty, and heard the prosecutor say he had lost a handkerchief—I saw the prisoner come from the omnibus to an unoccupied toll-house—I was not aware there had been a robbery—I saw the prisoner throw something over the half-door—it was something of a soft nature—I could not see what it was—the prisoner passed me, humming a tune—the prosecutor then said he had lost his handkerchief—I went to the place, and found the handkerchief now produced—I gave information—the prisoner went in the direction of the omnibus—I went there, but he was gone—the next morning I apprehended him in Whitechapel, coming out of his father's stables—I said I took him on suspicion of stealing a handkerchief—he said, "I know nothing about it"—I asked him if he was conductor to Mr. Dodd's omnibus—he said he was—I said, did he remember seeing me in the road—he said he did, and that he was going to the toll-house to make out his bill.

NOT GUILTY.

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863. ANN HANNEY was indicted for a misdemeanor.

NOT GUILTY.

864. THOMAS CARTER was indicted for a misdemeanor.

MARY HEDGES. My husband's name is John, he lives at Maidstone—I have a daughter living in town—her name is Sarah—I saw the prisoner once before, six or seven years ago—I received a letter by the post—it was a London letter—this is it—(*looking at it—letter read.*)

"Mrs. Hedges, at the paper mills, Spingfield Maidstown, county of Kent.

"London, Jan. 29, 1838.

"Dear Mother—I have instructed Mr. Carter to write to you. I thank you from my heart, for the money you sent me I received at Mr. Carter's just in time to save part of my things; if God spares me I shall be down with you very shortly, as the weather has broke, and will return every farthing with interest. My love to all, and I am glad father is better. Ann tells me my brothers have sent you down a sovereign; I hope they have, they can well afford it. Mr. Carter has been my only friend; he has saved my goods—he has taken a house for me, and all that man can do he has done. Pray, if you can, send up by Sunday a goose, or a brace of birds, as a present for Mr. Carter; you have got his direction; never mind the expense, I will pay you tenfold shortly; pray do not disappoint him, for he has been so kind, and I cannot pay him at present. God for ever bless you and all my family. Your affectionate daughter, "SARAH HEDGES."

MARY HEDGES *continued.* I thought my daughter wanted the parcel to give to Mr. Carter—he had sent me a newspaper down with a card of his address in it a few days before—I thought he had been very kind to my daughter, and I bought a drake, and sent it up with a loaf, and I sent a letter in it addressed to my daughter—I put Mr. Carter's card on the basket, and directed it to be sent to him immediately—the value of the contents was 4*s.*—I heard nothing more from my daughter—I came up to town last Saturday week, and went to the prisoner's house on Sunday—I saw him—I asked him for the letter I had sent to my daughter—he said, "Yes, you shall have it, but you must give me a receipt for it"—he laid it on the table—I turned it over and said, "It is not sealed as I sent it"—(I had sealedit with a wheatsheaf)—I had written the letter myself, and sent it with the drake and loaf—I knew it was the same—the prisoner said, "I presume you are Mrs. Hedges?" and I said I was—he said the basket cost him 2*s.*—I said I was sorry it had not cost him 5*s.*—I thought he was a constable by seeing his staff on the table—I reprimanded him for distressing me, and putting me out of the way—he told me he was very sorry for it—I sent the drake and loaf to town in consequence of the letter I received.

Cross-examined by MR. PAYNE. *Q.* You knew it was not your daughter's writing? *A.* Yes—my daughter has been away a long time—I have seen her when I came to town—she never lived with me at Maidstone—I do not know how she has been living.

SARAH HEDGES. I am the daughter of the last witness. I keep a lodging-house, and have known the prisoner seven or eight years—I have taken in the Dispatch newspaper for some time, and after I have read it he has it, that is the way I knew him—this letter is not my writing—it was not written by my consent, authority, or knowledge—I never got the letter from my mother.

Cross-examined. *Q.* How long had you known the prisoner? *A.* Seven or eight years—I had been several times to his house—I knew his

wife perfectly well—he never wrote letters for me—I could always write myself—the prisoner gave me a reference for a house—he has never had to pay any rent for me—the house was taken of Mr. Hill—he never told me that he should write to my mother for a present—I took the house in the name of King—he is the young man who took the house—I could not swear that Carter paid 13*s.* rent that we did not pay—we left some rent unpaid—I do not know that he paid it—I have never been in any other part of this building—never about a necklace—I go by the name of Hedges—I have gone by the name of Cox—I never went by the name of King—I am living in a lodging-house—I accommodate any person that comes—it is in Thomas-street, close to Sadlers' Wells—I do not know what the prisoner is by business—I believe he has the situation of constable—I do not know that he is a broker—he has never shown me any kindness or attention—I lived with a man named Cox—he left me, and then I went to live with King—I was never tried—I never was in Newgate in my life, that I swear—never for taking sovereigns from a soldier—I have never been taken into the prisoner's house as a refuge, when I have been abandoned by others—it is a house of accommodation that I keep now.

WILLIAM BAKER ASHTON (*police-constable G* 11.) I took the prisoner into custody on Monday—I told him I was sorry for it—he said it was the height of indiscretion—I asked where the basket was, and he took it out of another and gave it to me—this is it—(*producing it*).

ANN HEDGES. I am servant to a family in Islington, and am the sister of Sarah Hedges. I know nothing about this letter.

Mr. PAYNE. "*The prisoner states that he had shown kindness to Sarah Hedges, and he mentioned to her that he should write to her mother for something, to which she made no objection.*"

(The prisoner received a good character.)

GUILTY. Aged 48.—Confined Six Weeks.

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865. JAMES CHRISTIE was indicted for a misdemeanor.

HENRY THOMAS. I am in the employ of Messrs. Benjamin Overbury and another, woollen-factors, at No. 19, Cateaton-street. They had customers of the name of Lewin and Halston—on the 20th of February the prisoner came—he was a stranger to me—he said he came from Messrs. Lewin and Halston to match a piece of drab kerseymere, which he produced—I believed that, and trusted him with a piece of kerseymere—it was 40 yards, and worth 14*l.*—it has been lost to the firm.

Prisoner. You gave it to me without any writing. *Witness.* Yes, I did.

HENRY LEWIN. I am one of the firm of Lewin and Halston; we live in Brewer-street, and are mercers. I do not know the prisoner at all—I did not authorise or instruct him on the 20th February to do any thing or go any where.

WILLIAM WHITAKER. I confirm the evidence of the porter respecting the prisoner's coming to our warehouse and having the piece of goods—I was present at the time he had it.

GUILTY. Aged 19.—Transported for Seven Years.

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866. JAMES CHRISTIE was *again* indicted for a misdemeanor.

JAMES SMART. I am in the employ of John Smart and another, silk and

velvet-manufacturers. They have a customer of the name of Mylie—on the 23rd of February the prisoner came to me, and produced a pattern of silk serge, and asked for a piece of goods to match that for Mr. Mylie—he said he came from him—I gave him 112 yards of it, worth 20*l.*

MYLES MYLIE. I deal at the house of Smart and Co.—I do not know the prisoner at all—I did not authorise him to go in my name to get these goods, nor any other—I never received the property—it is quite lost.

GUILTY. Aged 19.—Transported for Seven Years more.

(There were two other indictments against the prisoner).

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867. ELIZABETH MITSON was indicted for a misdemeanor.

FRANCES BISHOP. I am his housekeeper. Mr. Thomas Taylor Bostell is a baker, in Newington-road—he has a customer named Young—on the 5th of February the prisoner came, and said she wanted a quartern loaf for Mr. Young—I let her have it, believing what she said was true.

PETER YOUNG. I deal at the prosecutor's shop—I did not authorise the prisoner, on the 5th of February, to go for a loaf—to the best of my knowledge I never saw her.

GUILTY. Aged 15.—Confined Eight Days.

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868. THOMAS WILLIAMSON was indicted for a misdemeanor.

(The witnesses were called on their recognizances, but did not appear.)

NOT GUILTY.

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869. THOMAS WALKER was indicted for stealing, on the 3rd of February, 1168 yards of velvet ribbon, value 30*l.*; 1 deal-box, value 6*d.*; and 1 leather strap, value 6*d.*; the goods of Thomas Wisbey.

MR. PAYNE *conducted the Prosecution.*

THOMAS WISBEY. I live at No. 42, King-street, Spitalfields, and am a chair-maker. My wife is a velvet weaver—I have a lad of the name of Beacham in my employ as errand-boy—on Saturday, the 3rd of February, I gave him some silk velvet, worth 30*l.*, in a large green box—he was to take it to Mr. Morrison, in Fore-street—I started him about ten minutes after eight o'clock in the morning—I never saw him again till he came home a little before two o'clock, and said he had lost the box—there was a leathern strap round it.

Cross-examined by MR. DOANE. *Q.* Does anybody carry on this business but your wife? *A.* No; I have nothing to do with it.

WILLIAM BEACHAM. I was employed by Mr. Wisbey—on Saturday morning, the 3rd of February, I remember being sent with a box to Mr. Morrison, in Fore-street—a tall man met me, and asked me if I was not Mr. Wisbey's boy—he said he wanted to take the box to Brook-street, and I would not let him have it—all the way along he said he wanted to take it to Brook-street—he told me to run all the way back and tell my mistress to get some ribbons—I went with the man as far as Smithfield, and then he gave me three parts of a quartern of gin—he then went into Holborn, and had a pint of porter—I had part of that—I sat down in a house—we stopped there a good bit—he wanted me to run out and fetch a *cab*, but I would not stir—he then went out himself—he was gone a good bit,

—he might have been half an hour—he then came back, and had left his coat somewhere—he had a large coat on when he went out—he said he had left his coat over the way—he waited outside the door, and said he was waiting for a person—while we were waiting there the prisoner came up—after a little while he asked me if I was cold—before that, he asked the tall man how trade got on—then they went a little further, and we all three went into a public-house, but before they went in, the tall man paid the prisoner 4*d.*—we then all three went into a public-house in Holborn—we had some rum there—they gave me two glasses—when I got into the street, after taking the rum, I felt very bad, and we all three went to another public-house, which is Mr. Pike's, in Clerkenwell—I had got the box, but the tall man carried it a little way—when we got to Mr. Pike's, we went into the tap-room, and I put my box under the bench, and after a little while, the tall man put it on the bench—the prisoner went away as soon as we went in—I did not see him again—I fell asleep, and when I awoke I went to the bar to the landlady—my box was then gone—I have been very ill ever since—I ran all the way home—I did not know the way, but I asked people.

Cross-examined. *Q.* When you went into the public-house in Holborn, who gave you the rum? *A.* The other man, and when I went to Mr. Pike's he gave me some porter.

JAMES MILTON PIKE. I keep the Horse Shoe and Magpie, in Bath-row, Clerkenwell. I remember on Saturday, the 3rd of February, the witness Beacham and two men coming to my house—the prisoner, and one taller—it was about half-past nine o'clock—the boy had a box on his arm—they ordered a pint of porter as soon as they got into the room—I took the pint of porter in, and asked for payment—the prisoner said he had not any money with him, but he would return again and pay for the porter—he went out—the tall man had a screw of tobacco—he paid me for that—I was in and out of the tap-room occasionally, till twelve o'clock—the prisoner did not return till after twelve o'clock, but I was then out—he was not in the house above three minutes—I left my wife behind, and left word that the pint of porter was not paid for—they all drank together.

JANE PIKE. I am the wife of the last witness. I remember, on the 3rd of February, my husband going out about twelve o'clock—about ten minutes after twelve o'clock, a person (not the prisoner) came out of the tap-room and paid me for the porter—he then went in and came out again in company with another man—I did not notice him particularly—one of them had a long green box with a strap to it—the person who paid me for the beer brought that out—he put it on the bench in front of the bar—they were in conversation, and I heard him say, "You carry that"—the other man took it up, not the man who paid me, but the other man took it, and they both went away together—some time after that the boy came to me, inquiring for the box, and crying—I told him his friends were gone.

COURT. *Q.* Did you make an observation on that man? *A.* No, I did not.

MR. PAYNE. *Q.* Did he in general appearance resemble the prisoner? *A.* Yes.

MR. DOANE. *Q.* I suppose there are a great many men whose general appearance may resemble that man? *A.* Yes—the man that came out of the room was darker than the prisoner.

MR. PAYNE. *Q.* What was the state of the light at the time? *A.* The light was very good—the man was a darker man than the prisoner.

JOHN GARFIELD. I am in the employ of Mr. Wisbey, and live at No. 8, Princes-court. On the morning of Sunday, the 4th of February, I went with the officer and the boy to the Porto Bello public-house in Turville-street, Bethnal-green—the prisoner was brought there by the officer—when he came there I asked the boy Beacham if that was one of the men who was with him on Saturday—he said it was—I asked the prisoner did he know the boy—he said, "No, I never saw the boy, I know nothing of him"—in going to the station-house, he said, "Certainly I know that boy, I saw him yesterday, but you have put a different dress on him"—he said, "I saw him in Holborn, and a man along with him—we went and had something to drink together—I saw that man on the day of the King's funeral, and from that day till Saturday I had not seen him"—the boy was very shabbily dressed on Saturday, and we put him on the jacket which he now has on.

HENRY CHARLES BARKER (*police-constable H* 26.) On Sunday morning, the 4th of February, I went to the prisoner's house—I saw him, and told him I wanted to speak to him—he asked what I wanted—I asked him to come out and have something to drink—he at first refused, but at last I got him to the Porto Bello—I took him to the bar of the house, and asked what he would have to drink—my object was to get him there that the boy might see him—the boy came out, stood for about ten minutes, then went into the tap-room, and came out again, and said to the prisoner, "Are not you the man that took the box away from me?"—the prisoner said, "No, I never saw you before in all my life"—I heard Garfield ask the prisoner if he knew the boy, and he said, "No"—the boy said he knew him—I then told him he must go to the watch-house—I gave him to another officer.

WILLIAM BEACHAM *re-examined.* I now wear the jacket, I had on on the 4th—I had not got it on the 3rd.

GUILTY.*—Aged 36. Transported for Seven Years.

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870. WILLIAM DALEY was indicted for feloniously forging and uttering a request for the delivery of goods, with intent to defraud; to which he pleaded

GUILTY.—Aged 21.

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871. WILLIAM DALEY was *again* indicted for a like offence; to which he pleaded

GUILTY—Aged 21.—*Recommended to mercy by the Prosecutor.*

Confined Six Months.

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872. JOHN HENRY HUMPHRIES was indicted for wilful and corrupt perjury.

NOT GUILTY.

ESSEX. CASES.

Before Mr. Recorder.

873. WILLIAM ARNOLD was indicted for stealing, on the 22nd of February, 4 planks of wood, value 5*s.*; and 2 wooden rails, value 3*s.*; the goods of Richard Robinson; and that he had been before convicted of felony.

RICHARD ROBINSON. I live at Waltham, in Essex. On Thursday evening, the 22nd of February, I missed four pieces of plank, between seven and eight o'clock, from my cow-yard—I found some afterwards in the house occupied by the prisoner—his wife was at home at the time, but not him—there was only one room in the place—it was about two o'clock in the afternoon—he was at work on the road at the time, and the officer apprehended him.

DAVID JOHNSON. I am a policeman. I went with the prosecutor to the prisoner's house, and saw the plank—I took the prisoner at work on the road at Stratford—I told him I took him for stealing some planks from Mr. Robinson's, and I had found one in his house—he said he knew nothing about it—I took off his shoe, and measured the footmarks on the ground the property was stolen from—there were marks in the yard, and they exactly corresponded with the marks, and I made other footmarks with the shoe, and they exactly corresponded—the marks were about half an inch deep—I could distinctly see the track of the foot—the marks were fresh.

Prisoner's Defence. It is not a cow-yard, but a field of about three acres—I went through that place frequently.

SAUL DAVISON. I am constable of Ilford. I have a certificate of the prisoner's former conviction, which I got from Mr. Parker's, the Clerk of the Peace, at Chelmsford—I know it to be his handwriting—it was sent up from there—the patrol gave it to me—I was not present when the prisoner was tried—I apprehended him.

DAVID JOHNSON. I sent a note to the Clerk of the Peace, to send up the certificate, which he did.

GUILTY of the larceny, but not of the former conviction.—Aged 33.
Confined Three Months.

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874. JOSEPH SINFIELD was indicted for stealing, on the 24th of December, the carcase of a pig, value 6*s.*, the goods of James Biggs; and WILLIAM SINFIELD for feloniously receiving the same, well-knowing it to have been stolen; against the statute, &c.

JAMES BIGGS. I live at Manor-farm, at Barking in Essex. A small pig of mine was left at my premises, on the 24th of December—it was the carcase of a pig—I think the feet were not on it, but I am not quite certain—it is what is called in the trade a carcase of a pig—I missed it next morning, the 25th, and made inquiry—I went on the Monday afternoon with Robert Martin to the prisoner Joseph Sinfield's house—both the prisoners lived there—I knocked at the door, the mother opened it—I found William Sinfield on the bed, feigning to be tipsy, and I think he was tipsy—I brought him down stairs, got a light, went up stairs again with the light, and saw on the floor in the bedroom, where the pig had been

salted, and the board it had been chopped on—there were fragments of the salt and blood on the floor—portions of the fat, salt, and blood remained, which satisfied me it had been done there—I told William Sinfield I was sure he knew where the pig was, and advised him to tell me—I merely said I was quite sure he knew what had become of the pig—he said after I had come down stairs, that his brother was under the bed, and he had jumped out of window with the pig salted in a pail, and had thrown the salt out of the pail—on searching about, within two steps outside the house, I found part of the pig recently salted in a dish—I brought it into the house, and found a quantity of brains and blood behind the door, in the corner of the sitting-room—I sent for the constable, and gave William Sinfield into custody—the other prisoner was not taken till the 2nd of February.

Cross-examined by Mr. Phillips. *Q.* William Sinfield was bailed by the magistrate, I believe? *A.* Yes, and has surrendered here to-day—their mother lived in the house with them—they have no father.

John Smith. I am a labourer in Mr. Biggs's employ. I was at the Bull public-house, at Barking, on Sunday, with Joseph and William Sinfield—we had some beer together, and came home to our house again—they live next door to me—we were talking about the pig—a bullock had gored it, and let its entrails out, and master sent me for a butcher to come and dress the pig—I told them it was in Washburn-street, and Joseph said in the course of conversation that he would have the pig—when we came to Chalk Starve, I and William went home, and he went towards my master's house—he asked his mother for his red cap, and gave William his hat—William heard what he said about having the pig—I went next day to work at Mr. Biggs's—he made inquiry about the pig—I said I knew nothing of it—I afterwards went to my father, and by his advice told Charles, the servant, of it—I afterwards told my master what had passed when he questioned me—the pig was gone then.

Cross-examined. Have you always said you told your master? *A.* Yes—I told him an untruth in the first instance—I do not know whether I was afraid of getting into trouble—I did not take the pig.

Q. Why deny it to your master? *A.* Because I was persuaded by other people—they told me over night to say nothing about it—I said that before the magistrate.

Court. *Q.* Who were the people that told you not to tell? *A.* Joseph Sinfield.

George William Rainbow. I am a constable of Barking. On Monday evening, the 25th of December, I was sent for, to take William Sinfield into custody—I went to the house, went up stairs, and saw the remains of the brains of a pig, and fragments of meat, and salt, strewed about the floor—I got a light, and found a chopper—I saw the pig's head, which appeared to have been hacked with some blunt instrument—I brought the chopper away—I did not see Joseph in the house—I could not find him—I apprehended him on the 2nd of February—I could not find him till then—I have the head here and the chopper—it appears to have been hacked with that instrument.

Cross-examined. *Q.* I suppose you will hardly swear it was cut with that? *A.* I have brought the board—there are marks on that which exactly correspond with the chopper, and all along the board were marks of the pig, and salt, and blood, but a cat has since licked it clean.

MR. BIGGS *re-examined.* The board was left in my brew-house, and I conclude the cats have licked it, as there are a good many there.

NOT GUILTY.

Before Mr. Sergeant Arabin.

875. WILLIAM TAYLOR was indicted for stealing, on the 18th of January, 2 pistols, value 1*l.* 1*s.*, the goods of William Reynolds.

WILLIAM REYNOLDS. I live with my father, at the Cauliflower, at Ilford, he is a publican and farmer. I had a pair of pistols in the month of January —my father did not know I had them——I gave them to the ostler, Samuel Taylor, and he put them into the cupboard—he is the prisoner's brother —they were missed in February, and they were stopped at the pawn-broker's—these are the pistols—(*looking at them*)—the prisoner worked for my father once, but not at the time I lost the pistols.

Cross-examined by MR. DOANE. *Q.* When did you first get them? *A.* I believe it was in January—I bought them in London myself—I gave 12*s.* for them—my father did not allow me pocket money to that amount— I did not let my father know that I had got them—I gave them to the ostler soon after I bought them—about the beginning of January—I have known the prisoner twelve months or more.

SAMUEL TAYLOR. I am ostler to the prosecutor's father. The prisoner is my brother—the prosecutor gave me the pistols, and I *chucked* them into a cupboard in the stable—I missed them at the latter end of January—there is no key to the cupboard.

Cross-examined. *Q.* You do not know who took them away? *A.* No —I put them into an open cupboard in a stable which I have charge of.

WILLIAM BUDD. I am a pawnbroker in High-street, Barking. These pistols were brought to me on the 18th of January, in the evening by a young lad—not the prisoner—I took them, and questioned the lad— I had some suspicion, and detained them—on the Friday-week following, the lad who brought them came with the prisoner, and an elderly man to my shop—I said to the young lad, "Who gave you these pistols?"—he said the prisoner—the prisoner said that he had taken them from his brother—I said they did not giveme a satisfactory account, and I should tell the Governors of Ilford jail.

Cross-examined. *Q.* The prisoner said he took them from his brother? *A.* Yes, he did.

SAMUEL TAYLOR *re-examined.* I did not permit him to take them away.

SAMUEL DAVIS. I am a constable. I received information, and went to Mr. Reynolds—after that I saw the prisoner, and asked him what he knew about the pistols—he said he took them from his brother, out of a cupboard, at the Cauliflour—I asked him if his brother gave him leave— he said he did not.

SAMUEL TAYLOR *re-examined.* This cupboard was for my own use— the prisoner knew that—he had lived there before me.

NOT GUILTY.

KENT CASES.

Before Mr. Recorder.

876. SAMUEL HARLEY was indicted for stealing, on the 5th of February, 12lbs. weight of beef, value 4*s.*; and 2lbs. weight of flour, value 4*d.*; the goods of John Rixon, and another, his masters; to which he pleaded

GUILTY.—Aged 32.—*Recommended to mercy by the Prosecutor.*
Confined One Day.

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877. THOMAS SMITH and WILLIAM WHITE were indicted for stealing, on the 16th of February, 1 basket, value 1*s.* 6*d.*, the goods of Thomas Furlong.

THOMAS FURLONG. I am a turner, and live in London-street, Greenwich. On the 16th of February I missed two baskets from the front of my house—I have since seen one of them.

ROBERT GEORGE BAXTER. I am a hatter, and live in London-street, Greenwich. On the morning of the 16th of February, between eleven and twelve o'clock, I saw the prisoners loitering about the door of the prosecutor's shop, and in the afternoon, about three o'clock, I saw them again —Smith went about twenty yards, and stood on the look-out, while White went to the shop window, and stood looking in a considerable time—presently he took the basket, and walked away with it towards London, and gave it to Smith—they both walked towards London together—I looked for a policeman, and not seeing one, I crossed over and stopped them—they said they had come down from London on purpose to thieve, that they might get into custody, saying they might as well steal as starve, —they had slept in Whitecross-street, at the refuge for the houseless, and came from there at eight o'clock in the morning.

ROBERT HILL (*police-constable R* 184.) I was on duty in Church-street, Greenwich, on the 16th, and followed the prisoners into Stockwell-street—I afterwards went to Mr. Furlong's, and found them detained there —I have the basket.

(*Property produced and sworn to.*)

SMITH*—GUILTY. Aged 16.
WHITE—GUILTY. Aged 16.
} Confined One Month.

Before Mr. Sergeant Arabin.

878. JOHN WILLIAM PERRINS was indicted for stealing, on the 21st of February, 18 napkins, value 9*s.*, the goods of Elizabeth Morgan, his mistress; also, on the same day, 18 napkins, value 9*s.*, the goods of Richard Forster; also, on the same day, 18 napkins, value 9*s.*, the goods of John Davis.

GUILTY Aged .—Confined Six Months.

Before Mr. Common Sergeant.

878. GEORGE BLACKMAN was indicted for stealing, on the 28th of February, 1 shirt, value 1*s.* 6*d.*; 2 jackets, value 4*s.*; 1 pair of boots, value 8*s.*; 1 frock, value 8*s.*; and 4 boxes, value 3*s.*; the goods of William Maryan.

WILLIAM MARYAN. I am ostler at the Rising Sun, at Lewisham. On the 28th of February I had the articles stated in the indictment in a box, and they were stolen—I saw the prisoner there at half-past two o'clock in the night, and at three o'clock he was gone, and my things also—some of them had been in the stable, and some in the tap-room—ours is a night-house, and I was up—the prisoner slept in the tap-room in the early part of the night, and was afterwards up in the room—he was gone when I missed the things—I have seen them since—these are them—(*looking at them*)—I sent a policeman after him, and he brought him back with them.

HENRY WILLIAMS. I am a policeman. I received information from Maryan, and took my horse, and went down to New Cross—I found the prisoner walking down the road with the articles now produced.

GUILTY. Aged 37.—Confined Six Months.

Before Mr. Common Sergeant.

879. JOHN KNIGHT was indicted for stealing, on the 25th of January, 1 glazed window-sash, value 4*s.*; 1 wooden shelf, value 1*s.*; and 8 hinges, value 2*d.*; the goods of James Strother, belonging to a certain building, and fixed thereto.

ANTHONY STROTHER. I am a coal-merchant, and live in Rectory-place, Woolwich. My father, James Strother, is owner of four houses in High-street, Woolwich, one of which is untenanted—I saw the windows all fastened the day after Christmas-day—my father lost one glazed sash, and one was found on the prisoner on Tuesday evening, in one of the rooms on the premises—it is here—it is my father's.

JOSEPH KING. I live in the Rents of Mr. Strother—he gave me leave to live there from Christmas—on Tuesday, the 30th of January, I went round the back premises to watch them—I heard a noise in the back room, and heard some one tearing something down—I ran and asked a lodger to bring a light and follow me—I went in and found the prisoner in the room—I never saw him before—he knew me, because he called me by name—I asked him what business he had there—he said he came to ease himself—I said the privy was close by—I said, "I heard some one pulling something down"—he said, "It was not me"—the window-sash was close to his feet—I had seen it safe on Sunday night and Monday night, and then on Tuesday it was found by him—there is one part of the window gone out of the same house where I found this man.

Prisoner. *Q.* Was I in the house? *A.* You were in the back room—when I took you out of the room you said, "Let me stop and ease myself"—you were in the back room close to the window.

COURT. *Q.* What time elapsed from the time you heard the noise till you took him? *A.* Not a quarter of an hour—it was about a quarter or half-past nine o'clock.

CHARLES STEWART WARDEN. I am a watchman. I searched the pri-

soner, and found on him the key of his room—I went there and found these three pieces of a sash-frame, and eight hinges—these frames correspond with the frames in Mr. Strother's premises, one part in particular, and these boards I found, which correspond with a cupboard in the house—I have compared them.

Prisoner's Defence. I was at work at some houses for my brother, which were going through repair, and from there I got them—we had to pull to pieces some of the old sashes to repair others with.

(The prisoner received a good character.)

GUILTY. Aged 26.—Confined Three Months.

(There was another indictment against the prisoner.)

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880. JAMES M'KIMMINGS was indicted for stealing, on the 30th of February, 1 pair of boots, value 3*s.*, the goods of Joseph Sandiford.

JOSEPH SANDIFORD. I am a gunner, in the Royal Artillery. I have lost two boots—I missed them on the 15th of February—these are mine—(*looking at them*)—I found them in Mrs. Moore's shop—I do not know the prisoner.

ELEANOR MOORE. I keep a clothes-shop, at Woolwich. The prisoner came to my shop with this pair of boots—(*looking at them*)—I asked who they belonged to—he said his father, and he wanted to sell them to get victuals—I gave him 2*s.* for them—the next day the prosecutor came and owned them—the prisoner said his father lived at the College, and he was a gunner also—these are called boots, or Cossack shoes.

Prisoner. Another gunner gave me the boots to go and sell them—I had 1*d.*, and he was to have 2*s.*

JOSEPH SANDIFORD *re-examined.* These boots were in the gun-room—there were other gunners in the room, but this boy could not have access to it.

NOT GUILTY.

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881. ISAAC KENLEY was indicted for stealing, on the 6th of February, 1 printed book, value 4*s.* 6*d.*, the goods of Joseph Wright.

REBECCA WRIGHT. I am the wife of Joseph Wright—we keep a stationer's shop at Croom's-hill, Greenwich. I missed a copy of "Jacob Faithful," on Thursday, the 8th of February—it was one like this—(*looking at one*)—I cannot swear to it—there is no mark in it—we missed such a one—the prisoner was brought to me by a policeman with this book—I had seen it safe on the Tuesday morning, when I had two of them—I missed one—it was brought back on Thursday.

WILLIAM THOMAS BANBURY. I am shopman to a pawnbroker, at Deptford. On Wednesday, the 7th of February, the prisoner came to me, and brought this book and two others—I detained them, and asked him who they belonged to—he said his mother, and she had had them a long while—I looked into this book and saw 1838 in it—I detained them, and told him to fetch his mother.

BENJAMIN LOVELL (*police-sergeant R* 15.) I took the prisoner in charge—he said he found the books in Stockwell-street.

Prisoner. I was going along the street, and picked them up in a gateway.

NOT GUILTY.

882. THOMAS O'CONNELL was indicted for stealing, on the 2nd of February, 6lbs. weight of bread, value 10½*d.*, the goods of John Kelly.

JOHN KELLY. I am a baker, and live in Artillery-place, Woolwich. I was called into the shop on Friday night, the 2nd of February—I had lost two loaves—I charged the prisoner, who was there, with stealing them—he said he did, he was hungry.

JOHN AMBROSE. I am a musician in the Artillery. About half-past eight o'clock that night, I was passing, and saw the prisoner looking into the shop, with a small loaf under his arm—I stood and looked at him—he walked in, and took another loaf—I stopped him at the door-way, with two loaves on him.

Prisoner. I am sorry for what I have done, and will never do it again—I have been selling pies about, and doing what I could.

GUILTY. Aged 18.—Confined One Month.

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883. JOHN WELLER was indicted for a misdemeanor.

MESSRS. BODKIN *and* SHEA *conducted the Prosecution.*

CRISPIN TYRRELL. I am a shoemaker, and live at Blackheath-hill. About seven o'clock, on the evening of the 31st of January, the prisoner came to my shop and wanted a pennyworth of nails—I served him—he offered me a shilling—I looked at it, and said it had rather a suspicious appearance, but my eye-sight was not so good as it used to be—he said it was a good one—I rubbed it on my coat—I cannot say that it had a very bad appearance—I gave him change—I showed the shilling to my daughter—she looked at it, and gave it me back—I put it into my left-hand trowsers pocket, where there was no other shilling—I kept it there till I went to bed—I then took it out, and put it on the mantel-piece—I found it there in the morning—I am quite sure no other shilling was put there—I then nailed it to the counter—Posthumous Mence came in, in the evening—I took the shilling from the counter, and gave it to him.

Prisoner. When I was examined, I brought two witnesses, to show where I was, but they would not hear them. *Witness.* I do not know that you did.

JEMIMA MELHUISH. My husband is a baker, living at Blackheath. On the 1st of February, about seven o'clock in the evening, the prisoner came for a penny loaf—I was in the parlour, adjoining the shop, with my husband—I went out, and my husband followed me—I recollected the prisoner was the person I had seen the evening but one before—I made a communication about that to my shop-woman—I went to the prisoner—he asked for a penny loaf, and tendered me a bad shilling—I am quite certain that he is the person who had been the day but one before to my shop; and on that occasion he came for a penny loaf, and paid for that by a penny in copper—he came again the same evening; he produced a bad shilling, which I discovered to be bad, and returned it him, and he left the shop—when he came on the 1st of February, I recollected him immediately—when I discovered the shilling to be bad, on the 1st of February, I returned it him, and said, "This is a bad one—you have been in my shop a night or two ago, and offered me a bad shilling"—my husband came up directly—I had given the shilling back to the prisoner—my husband, in my presence, took it from him—the policeman came and took him and the shilling.

WILLIAM MELHUISH. I am the husband of the last witness. I was sitting in my parlour, on the 1st of February, in the evening—there was a shop-woman with me—I saw the prisoner come in—I am positive he is the person—my wife got up, and went into the shop—I followed her almost immediately—I found the prisoner there—I saw a shilling in the prisoner's hand—I said, "What is this?"—he said, "It is a shilling"—I held my hand, and he handed it to me—I said it was a very bad one, and asked him where he got it—he said he had taken it in change—I sent for a policeman, who came, and I gave the prisoner and the shilling to him.

POSTHUMOUS MENCE (*police-constable R* 14.) On the 1st of February I went to Mr. Melhuish's house, and took the prisoner—I received this shilling there—(*producing one*)—I went to Mr. Tyrrell's, and got this other shilling there, (*producing it,*) which was nailed to the counter.

MR. JOHN FIELD. I am Inspector of coin to the Mint. These are both counterfeit.

Prisoner. I never was in Mr. Tyrrell's shop at all.

GUILTY. Aged 23.—Confined Six Months.

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884. WILLIAM TAYLOR was indicted for stealing, on the 17th of February, 1 iron pot, value 5*s.*, the goods of John Green.

MARY CALLAGHAN. I am servant to John Green, the landlord of the Garrick's Head, at Deptford. I missed an iron pot from my master's house—it was at the end of the dresser, in the kitchen—this is the pot—(*looking at one*)—I saw it at half-past five o'clock, on Saturday evening, and missed it at half-past nine o'clock, on Sunday morning—I am sure it is my master's—I know the prisoner—he used to come and clean the pots in the morning, and go home at night.

Cross-examined by MR. JERNINGHAM. *Q.* How do you know this pot? *A.* I cleaned it on that Saturday morning, and know it well—I have no mark, only I have used it and cleaned it—it had a lid, but that was left behind.

BENJAMIN LOVELL (*police-sergeant R* 15.) I live at No. 5, Lucas-street. From circumstances which occurred I went to Phillimore, in Bromfield-place, and found this pot there.

PHINEAS PHILLIMORE. I live at Broomfield-place, Deptford, and am a marine-store dealer. I purchased this pot of the prisoner, on Saturday evening, previous to the Monday on which it was found.

Cross-examined. *Q.* What did you give the prisoner for it? *A.* Eightpence—I refused for a long time to have it at all—I told him I had no use for it, being without a lid—I have but lately began business—I am quite ignorant of the value of the things—I was busy, and did not examine the pot—I did not consider that I gave the full value for it—he said he wanted to get bread for his children—he would not go away from the house—he was in the shop from five to ten minutes.

NOT GUILTY.

Before Mr. Recorder.

885. EDWARD ELLAM was indicted for stealing, on the 19th of February, 2 bags, value 1*d.*; 3 half-crowns, 8 shillings, and 5 sixpences; the goods and monies of Mary Mitchell, from her person.

MARY MITCHELL. I live at Bexley-heath. I was in the Coach and Horses public-house, at Woolwich, on the morning of the 19th of February, between eight and nine o'clock—I was in the tap-room, and saw the prisoner with a comrade—the prisoner asked me if I would stand a pot of beer, and I did—he asked me if I would stand another—I told him I could not afford it, as I had paid for one pot—he then asked me, as I would not stand a pot, if I would be a pint—I said I would—I had this bag (*looking at one*) with me, and a small one contained in the large one—I took the smaller one out of the large one, intending to pay the twopence, and he caught it out of my hand—he made no more to do, but got out the back way as quick as possible, and he ran away with it—I followed him—he ran as hard as he could—I made an alarm, and cried after him—he opened this bag, took the small one out, and flung the large one down at a poor woman's door—he kept the small one—it contained 19*s.* 2*d.*—there were three half-crowns, and the rest in sixpences and shillings—I gave information to Chittenden, the constable—I picked up the large bag before I told Chittenden.

WILLIAM THOMAS CHITTENDEN. I am a constable of Woolwich. The prosecutrix complained to me that she had lost her money—I went in search of the prisoner, and found him in the George the Fourth public-house, about one o'clock at noon—I told him I wanted him—he came out from behind the table where he was sitting—I told him I took him on a charge of robbing a female of some money—he said he knew nothing about it—he was all right—I took him into a little room, and searched him—I found two half-crowns, one shilling, and 9*d.*, in copper.

JOHN ALSFORD. I am beadle of the night-watch at Woolwich. Mary Mitchell was in my custody on the morning of the 19th of February—she was sent there as a destitute character by one of the churchwardens on the night of the 18th, about eleven o'clock—she had been sitting down near where the churchwarden lived, and he called one of the watchmen, and had her detained till the morning, when she was discharged—she had 18*s.* 6*d.* in silver, and 3½*d.* in copper—there were three half-crowns, and the rest in shillings and sixpences.

MARY MITCHELL *re-examined.* I got the money that was taken from me by hawking brooms.

SAMUEL WOOD. I am a butcher, but am out of work at present. I was in the Coach and Horses in Woolwich when Mitchell was there—she paid for a pot for me and another man—she treated the prisoner and another man with a pot—I saw her pull out her bag—the prisoner took it out of her hand, and ran out of the door—at the time I thought it was a joke, but he did not return—she went out after him directly—the prisoner was not altogether sober—this was at an early hour in the morning.

Prisoner. The female is telling a great falsity—she says she had 19*s.* 6*d.* and the officer says she had 18*s.* 6*d.*

GUILTY. Aged 28.—Confined One Year.

Before Mr Common Sergeant.

886. FREDERICK JACQUES was indicted for embezzling and stealing the sum of 2*s.* 6*d.*, part of the sum of 4*s.*, received by him on the 6th of February, on account of Thomas Machin, his master.—2nd COUNT, for stealing 1 half-crown, the monies of the said Thomas Machin.

MR. CLARKSON *conducted the Prosecution.*

THOMAS HEIGHAM. I am foreman to Thomas Machin, a grocer and cheesemonger. He has a shop at Woolwich, and another at No. 3, High-street, Deptford—I superintend the one at Woolwich—the prisoner was in Mr. Machin's service—he came on the 11th of November—when he came to be hired, I inquired with whom he had lived before—he said he had lived with Mr. Berry, in Strutton-ground, Westminster, for two years, and he was then not out of Mr. Berry's employment—he said Mr. Berry then lived at No. 3, Waterloo-place, Clerkenwell—I asked him where Mr. Berry lived, as a reference for his character—I went to No. 3, Waterloo-place, Clerkenwell—I did not see Mr. Berry—I saw a female, representing herself to be Mrs. Berry.

COURT. *Q.* This was on the 11th of November? *A.* He entered our service then, and we lost this on the 6th of February.

MR. CLARKSON. *Q.* Did you take him into Mr. Machin's service? *A.* Yes, after I had received a letter—he came into the service on the 11th of November—it was part of his duty to sell goods over the counter—I had missed a good deal of money from the till before the 6th of February—I began to miss it a very short time after he had been with us—on the morning of Tuesday, the 6th of February, about half-past eleven o'clock, I was induced to look into the prisoner's box—I found 27*s.* in half-crowns, shillings, and sixpences, wrapped up in a piece of paper similar to what we used in the shop where he served—it was screwed up loosely in a corner of the box—at seven o'clock in the evening I again looked and found in a bag the 27*s.* I had found before, and the addition of 10*s.*, loose in the bag, in half-crowns, shillings, and sixpences—the 27*s.* was still in the paper—I gave Mr. Warden four half-crowns, ten shillings, and a sixpence, and he marked them in my presence—on the following morning I again examined the prisoner's box—I found there the 10*s.*, and 27*s.* as before, with the addition of 6*s.*, in a paper, and 1*l.* 6*s.* in another paper—one of the half-crowns, marked the previous night, being part of the 6*s.*—there was no more marked money beside the half-crown—I found 9*s.* marked in the till.

Cross-examined by MR. PHILLIPS. *Q.* Have you any other shopman besides the prisoner? *A.* We have one—he had access also to the till and counter—there were four half-crowns given to Mr. Warden to mark, and I found nine shillings marked in the till—I did not find any marked shillings in his box—I found nine of the marked shillings—one had not been tendered—I now produce it from Mr. Warden—I did not count how much money was in the till in the morning—it was between ten and eleven o'clock at night that I searched the till finally, and found the 9*s.*—in the course of the day money had been put into the till, to what amount I do not know—I did not stay in the shop all day.

WILLIAM SHEEN. I am one of the shopmen in the service of Mr. Machin. I remember the night in question—I did not, on that occasion, take any money from the till at which the prisoner was serving—I am the other shopman.

Cross-examined. *Q.* Were you in the same shop with the prisoner? *A.* I was—there was only me and the prisoner there—Mr. Machin has no partner—his Christian name is Thomas—he sometimes attends in the shop himself—he was not there the whole day on the 6th of February—I was in the shop the whole day—I had gone out, but not away from the

and Flower, on receiving a receipt—they are the prisoner's attorneys, I believe—I told the Magistrate of my finding this gold money, and by his order I gave 5*l.* of this gold to the prisoner's attorney—I took the box to the Magistrate on the first meeting after the commitment of the prisoner—he was not taken before the Magistrate that he might be examined about this gold—he was in prison—I did not go to the prison to him—I do not know of the prisoner or his solicitor having any notice of this charge.

WILLIAM SHEPHERD. I am clerk to Mr. Humphrey, the attorney for this case—I served a notice of this trial on the prisoner personally, at the gaol, on the 26th of February.

WILLIAM SHEEN. I have been in Mr. Machin's service three years next July—on the solemn oath I have taken, I have never taken one shilling, or the fraction of a shilling, from my master, during that time—the prisoner came to my master on the 11th of November last—I had no reason to know that he was in want of money—on the 21st of January he said when his grandmother died that he should have money, but not before then—on the same evening he came home intoxicated, and, as he was pulling off his trowsers, he said, "I must mind my two sovereigns that I have borrowed of my cousin"—I remember a few days after the 21st of January, (I really cannot say when,) the postman brought a letter—he said his brother had died—he said his brother was a compositor in the Queen's printing-office, and he told me that whilst composing a verse in the Psalms his brother died—he did not say any thing about mourning that evening, but during the week he said he must be measured for some mourning clothes—he said that his cousin was answerable for the clothes, and he was to pay one sovereign per quarter till the debt was paid—on the 4th of February, the Sunday before he was taken into custody, as we were going along to Woolwich, he said that next Sunday his wages became due, being the 11th of February; and that would set him up when they came.

Cross-examined. Q. When did you mention all this conversation first? *A.* Mr. Heigham asked me several questions when the prisoner was taken into custody—I was very sorry for it—I mentioned it the following week after he was taken into custody—I will not swear precisely to a week, but it was from a week to a fortnight after—the conversation all came quite familiar to me after he was in custody—I remembered every word I have said—I cannot call to recollection any thing else—nobody was present when he said any of these things to me—I did not tell of it till I was asked—I was not examined before the Magistrate—I did not know that the prisoner was taken till Mr. Heigham was going out—he was taken on Wednesday morning, in my master's house—I did not know he was taken till Mr. Heigham came home, and said he had been before a Magistrate—that was after the prisoner was committed—I did not tell Mr. Heigham of this then—I did not know that the gold was found till Mr. Warden came down—I cannot say when that was—Mr. Heigham first told me it was found during the week after the prisoner was committed—when Mr. Heigham told me the money was found, and said he could not be short of money—I said, "No, he could not, if that was the case"—I told my master of this conversation the same week after the prisoner was taken—I cannot recollect how soon after—I will not swear I told him within five days—I did not tell Mr. Heigham, because it did not come to my recollection till such time as I was in conversation with Mr. Heigham—I told him the conversation on

the Woolwich road—I believe Mr. Warden was present, but I cannot swear to that event.

MR. PHILLIPS, *on the prisoner's behalf, called*

GEORGE JACQUES. I am a fancy-cabinet and morocco-case maker, and live in Domingo-street, Old-street-road. I am cousin to the prisoner—his grandmother died in July last—she lived at a place called Bosham, by Chichester—the prisoner had mourning for his wife's father—I remember going down to Chichester, to receive money from Messrs. Price and Strickland's, by the side of the cathedral—the prisoner received 54*l.* 13*s.* on the death of his first wife—that was at the latter end of August, 1837.

MR. CLARKSON. *Q.* Are you a housekeeper? *A.* I am—I occupy the whole house, and keep several men under me—I never lent the prisoner two half-sovereigns—I never had any occasion to do it—I had money in my possession belonging to him from the time he received the money in August—he received the money into his hand, and gave me 30*l.*, to take care of, and he had the rest—I left 24*l.* with him—what I had was in notes on the Chichester Bank—I had given him back the 30*l.* within 3*l.*, up to his being taken—the last I paid him was at my house a fortnight before he was taken up—he called there occasionally—in August last he was not in very bad circumstances—he was in middling circumstances—he was at work for me as a French-polisher—at that time he lived in Macclesfield-street—I had been at his house—he was landlord of the house—I know No. 3, Waterloo-place, and have known it for years—the prisoner lived there—I cannot tell how long—I should think it might be two months—I was there once only while he worked for me—I cannot tell the month—it was about November, I should think—I believe he was living there on the 11th of November—he has a wife—I only went there once—I was going to a dance that was to take place close by, and I went to know where it was to take place—I am not a man of property—I serve the principal houses in the City—my house is private—it is wholesale—I have no shop—I have a warehouse in the back part of the house—it is about fourteen feet square—it may be more or less—they are eight-roomed houses—the prisoner kept 24*l.* in country notes—I believe his wife's father died while he was in Mr. Machin's service—he was a compositor—I do not know any thing of his affairs—I know it was his wife's father—I have seen him—he lived somewhere about Leather-lane, or that way—I did not visit him—I have lent the prisoner money in former times—the last time was before August—never since August—he paid me what I lent him—he owes me nothing now—I owe him 3*l.*—I received a letter, and went to Mr. Heigham's house after the prisoner was in custody—I did not hear at all that I was to be a witness here—I came up voluntarily to do him any service in my power—I went and engaged the attorney a fortnight ago—I knew all these circumstances about receiving this money—I did not expect to state them—when I went to Mr. Heigham I did not tell him that the prisoner had been out of a situation for two months before he got Mr. Machin's, because he was in my employ—he was out of his own line—I have no knowledge of telling Mr. Machin, or saying in his hearing that the prisoner had been out of a situation two months before he went there—I am so positive of it that I will swear I did not—I did not say a word about his being in my service for two months before—I said I did not know much about him, he worked for me, and was paid his wages the same as other men—sometimes a guinea, sometimes 25*s.* a week—it was piece-work—

according to what he earned—I believe I told Mr. Heigham that the prisoner had several times had money from me in small sums—I also told him that the prisoner had had some relations die, for whom he had a suit of black, but I did not know who it was—I do not know exactly what I did say—I do not know what I told him—I will not swear that I did not say it was his wife's brother had died, and that he was in some attorney's office—I declare to my God that I never said that I had lent him a sum of 16*l.* to buy mourning for that very brother, nor words to that effect—nothing of the sort—I did not add in Mr. Heigham's hearing that the prisoner was to pay me off by 1*l.* a month—I said I had money of the prisoner's in my hand, and was paying for his clothes in that way—I never said I had lent him 16*l.*, and that he was to pay me the sum of 1*l.* a month or a quarter.

MR. PHILLIPS. *Q.* Was any thing at all said about that? *A.* I cannot exactly say what was said—the shop was full of customers—they were all talking at once—Mr. Machin was in the shop—I went across to speak to him—about a fortnight ago I went to Messrs. Harmer's office to engage them for my brother—I told them about the sum my brother had received at Chichester.

COURT. *Q.* What money did you pay to Messrs. Harmer? *A.* Two pounds.

MR. CLARKSON. *Q.* I think you said the prisoner's wife lived with him in Waterloo-place? *A.* I believe she did—I saw her about ten days ago at my place—I last saw her in Waterloo-place, when I went up there—I never went but once—I told Mr. Heigham that the prisoner had had a wife, but she had been dead five or six years—that is a fact—she died about six years ago, when the cholera was about.

THOMAS HEIGHAM *re-examined.* *Q.* Do you know George Jacques? *A.* I saw him at my master's house after the prisoner was in custody—he told me the prisoner had had a wife, but she had been dead five or six years—he told me that the prisoner had been out of a situation for two months before he went to Mr. Machin—I believe he named Mr. Berry as the person with whom the prisoner had lived two years before—he told me the prisoner had had money from him several times to the amount of 16*l.*—he told me that some relation of the prisoner's had died, he did not know whom, and that the prisoner had had a suit of black for him—that he believed it was his brother or his wife's brother he would not speak positively, and he believed he was in some attorney's office—he told me he had lent the prisoner in all 16*l.* to buy a suit of mourning, and that he was to repay it at 1*l.* per month—he told me that he owed the prisoner money—he did not represent that the prisoner had gold or money about him, or in his possession—he said he had money belonging to the prisoner—he did not know what induced him to pay for the clothes at 1*l.* a month, as he had money in hand of his.

MR. PHILLIPS. *Q.* Was Mr. Machin in the shop? *A.* He was—the cousin spoke to him—Mr. Machin is not here—he was about a yard and a half from me—there were many customers in the shop.

GUILTY. Aged 34.—Transported for Seven Years.

Before Mr. Recorder.

888. DAVID NIGHTINGALE and SARAH NIGHTINGALE were

indicted for stealing, on the 6th of January, 3 blankets, value 10*s.*; 1 bolster, value 5*s.*; 1 bed, value 30*s.*; 1 sheet, value 1*s.* 6*d.*; 2 pillows, value 3*s.*; 1 counterpane, value 10*s.*; 1 picture and frame, value 5*s.*; and 1 looking-glass, value 2*s.*; the goods of Mary Ann Edwards.

MARY ANN EDWARDS. I am a widow, and live in Church-street, Woolwich. I let furnished lodgings to the prisoner David Nightingale—the other prisoner is his wife—they came to my lodgings the week before Christmas—I cannot say the day—the man came two or three days before the woman, and engaged the lodgings, and then they came in together—there was another party came to visit them—in the course of the time they were with me, I missed some blankets, bolster, bed sheets, pillows, and various other things.

WILLIAM THOMAS CHITTENDEN. I am a constable of Woolwich. On Tuesday, the 6th of February, I assisted Mr. Warden, and searched one Ann Shaw's room—I found in it twenty-two duplicates—they furnished me with the means of going to different pawnbrokers—in the presence of the male prisoner, I asked the woman whose property this was—the woman stated that these eight were the duplicates of the property of the prosecutrix.

WILLIAM BOOTH. I am a pawnbroker at Woolwich. I produce a bed carpet, bolster, pillow, sheet, and three blankets, pawned in December and January by the female prisoner—I find duplicates corresponding with these articles among the eight before me—these are them—(*looking at them*)—no man was with her at the time of pawning.

CHARLES STEWART WARDEN. I am an officer of Woolwich. I took the female prisoner into custody on the 6th of February, and the man on the 9th—I received information from the prosecutrix, and found on the male prisoner a duplicate referring to a picture pledged at Mr. Carter's, at Greenwich.

FRANCIS WASLEY. I am shopman to Mr. Carter. I took in this picture of the male prisoner—this is the duplicate given for it.

MARY ANN EDWARDS (*re-examined.*) I was present when the room was searched at first—I was not there when the duplicates were found—the prisoners left on the 5th of February—I had appointed that day to go into the room to see that my goods were right—the man said that all my goods were safe as when he received them from me—accordingly, on the morning I was to go in, the man got up before me, and went out—the woman remained till the afternoon—I knocked at the door, and asked if her husband was in—she said, "No," he was gone to get money to pay me, she expected him in every minute—I waited an hour and a half, and she answered in the same way—I said I should go and get other assistance, and I went to a constable—while I was gone, the woman and Ann Shaw went out, and when I came back I broke open the door, and missed all these things.

WILLIAM BOOTH *re-examined.* The last day the woman pawned with me was on the 13th of January.

MARY ANN EDWARDS *re-examined.* These are my property—(*looking at them*)—these bed clothes were all that they had to sleep upon—there was no other bed in the room, only a mattress, and no other blankets, pillows, sheets, or counterpane.

DAVID NIGHTINGALE—GUILTY. Aged 43.—Confined One Year.

SARAH NIGHTINGALE—NOT GUILTY.

889. SARAH NIGHTINGALE was *again* indicted for stealing, on the 25th of January, 1 shawl, value 5*s.* 6*d.*, the goods of Thomas Pacey Birts, and another.

THOMAS PACEY BIRTS. I am a pawnbroker, and live at Woolwich. I have a partner of the name of John Moore—I have seen a shawl produced by William Booth—it is ours—on Thursday, the 25th of January, I had it in my shop, and missed it the same afternoon—I saw the prisoner in my shop in the middle of the day—the shawl was then on my counter—I had been showing it to a person—this is it—(*looking at it.*)

WILLIAM BOOTH. I am a pawnbroker at Woolwich. On the afternoon of the 25th of January I saw the prisoner—I have not the least doubt it was her—she pawned this shawl in the name of Ann Berry—she said it was her own.

WILLIAM THOMAS CHITTENDEN. I am a constable of Woolwich. I found a duplicate in the room occupied by Ann Shaw, where the prisoner had lodged one night—the whole of the twenty-two duplicates were found there—the prisoner was apprehended at that room, and there I found the duplicates—one of which is for this shawl.

WILLIAM BOOTH *re-examined.* This is the duplicate given for the shawl—I have not a doubt of the prisoner's person.

GUILTY. Aged 34.—Confined Six Months.

Before Mr. Sergeant Arabin.

890. ANN PAGE was indicted for stealing, on the 1st of March, 1 shawl, value 10*s.*, the goods of Susannah Whitmore, from her person.

SUSANNAH WHITMORE. I am single. I have a little property of my own, and am supported by my friends—I have known the prisoner about eight months—on the 1st of March I met her, by the Spanish Groom, at Greenwich—I had not seen her before for six weeks—she has been a servant—we spoke together, and she asked me to go to the Buffalo's Head, and have a glass of rum, which I did, and then we went to the corner—it was then between eleven and twelve o'clock at night—I was standing near the corner of where I live, as I had had a few words with my landlady—I did not like to go in—the prisoner had had a glass of rum, and so had I—I turned to go home, and I felt her hand at my shoulder—I had no suspicion of her—I put my hand to pull up my shawl—she crossed the road, and I went to go home—I felt cold, and I then missed my shawl—I looked on the ground, thinking I had dropped it, but I had not—a policeman came up, and I told him I suspected Ann Page had it—he went and took her—I had not lent her my shawl.

Prisoner. *Q.* Was not I very drunk? *A.* You had been drinking.

COURT. *Q.* Were you a little so yourself? *A.* I had had a little, certainly.

JOHN JULIAN (*police-constable R* 17.) I heard of this—I knew the prisoner, and went to a lodging house, and took her—I found this shawl there—(*producing one*)—the prisoner was not so drunk as she pretended to be—the prosecutrix was drunk—I was going to take her for being drunk and disorderly.

Prisoner's Defence. I picked up the shawl, and did not know it was hers—I put it on my shoulder, and was sitting by the fire in the lodging house when the officer took me.

NOT GUILTY.

SURREY CASES.

Before Mr. Sergeant Arabin.

892. CHARLES SALTFLEET was indicted for stealing, on the 6th of January, one pair of braces, value 2*s.*, the goods of William Liddaman; and that he had been before convicted of felony.

WILLIAM LIDDAMAN. I am a hosier and glover, and live at No. 9, London-road, St. George's. At eleven o'clock, on the morning of the 6th of January, the prisoner came to my shop with another, whose name I have since ascertained to be Ireland—Ireland came in, and requested to see a cotton shirt—I produced one—he objected to it as being rather higher in price than he meant to give—I had asked 3*s.* 6*d.*—I said I had striped cotton ones lower—I showed him one at 2*s.* 6*d.*—he agreed to take it, and then said he wanted a handkerchief—the price of the handkerchief was 1*s.* 3*d.*, and I agreed to take 3*s.* 6*d.* for this shirt and handkerchief—the prisoner gave me the shirt across the counter, and he said, "Take this, master, then it won't run away"—Ireland then directed my attention to a black leather belt, but he did not purchase it—they then went away—I was then about to reinstate my goods in the shop, and missed this pair of braces—I spoke to my wife, went out into the road, and left my business in possession of another individual—I looked in different directions about the Obelisk, but not finding them, I went to the Crown public-house—I saw the prisoner and Ireland, and by the side of the prisoner, a man in a dark coat—I said to the prisoner, "I want you, I wish to speak to you"—he looked at the man on the left, said something to him, and handed these braces from his coat to the other man in the brown coat—I got over the table, and said to the man in the brown coat, "You are my prisoner"—the prisoner made little reply to that—the door was open, and the prisoner ran out—I pursued him down Joiner-street—I called "Stop thief," but no assistance came, and I lost him—I went to the inspector in Tower-street, to give notice, and saw Ireland near there, looking at the station-house door—a person of the name of Cook was on duty—I said, "Take that man," which he did, and Ireland was taken, but I said, "I give no charge against him, I wish to make him a witness"—these are my braces.

Cross-examined by MR. DOANE. *Q.* After you got out of the public-house, what time elapsed before you saw the prisoner again? *A.* He was taken that day week—I had seen him in the shop before, but he never came in as an honest man—I had seen him pass the door—I had no wish to know him—I knew his features well, but I did not know him when I saw him—I did not intend to give Ireland in charge—I intended to give the prisoner in charge—I saw him take the braces out of his coat, and give them to another man—the other man escaped—I am sure I am not mistaken in the person.

COURT. *Q.* Is the prisoner the man that said, "Take this, and it won't run away?" *A.* Yes—and I saw the prisoner pass the braces to another man.

WILLIAM IRELAND. I drive a *cab.* I was in the shop with the prisoner—I went to buy some shirts—I do not know much of the prisoner—I

know him, and that is all—I did not see the braces in his possession—they did not take me into custody—I know nothing of the braces.

Cross-examined. *Q.* You were in the public-house after you had been into this shop with this man? *A.* Yes—there were a number of people there—I did not see any racing—it was from half an hour to three quarters after we had been in the shop that the prosecutor came to the public-house—I saw a person there who was a stranger to me, and Mr. Liddaman took the braces from that other man.

EDWARD CROSBIE (*police-constable L* 15.) I produce this certificate of the prisoner's former conviction from the Clerk of the Peace for Surrey—(*read*)—I was present—the prisoner is the same person who was then convicted—I apprehended him on the charge.

Prisoner. The conviction was five years ago.

GUILTY. Aged 25.—Transported for Seven Years.

Before Mr. Recorder.

893. THOMAS HOY was indicted for stealing, on the 21st of February, 1 handkerchief, value 2*s.* 6*d.*, the goods of Thomas Steel, from his person.

THOMAS STEEL. I am a linen-draper, and live in High-street, Borough. On the evening of the 21st of February, I was coming down High-street, Borough, between Union-street and St. George's church, and felt a slight touch at my coat pocket—I turned round, and caught the prisoner with his hand just coming from my pocket, and having my handkerchief in his hand—I led him along till I met a policeman, and gave him into custody—I held his hand with the handkerchief in it all the way.

Prisoner. It was not me that took it. *Witness.* I believe one or two other lads were behind me, but the prisoner was the one who had it in his hand.

WILLIAM GRAHAM (*police-constable M* 43.) I received the prisoner in charge, and produce the property—he was delivered to me by the prosecutor.

Prisoner's Defence. A person was walking behind the gentleman, in a smock frock—he threw the handkerchief down—I was picking it up to give to the gentleman, when he caught hold of me, and gave me into custody.

THOMAS STEEL *re-examined.* I caught him with it in his hand, and he wished to return it to me, stating that somebody else had taken it—but when I turned round I caught his hand actually under my coat—it must have been him who took it.

GUILTY.* Aged 17.—Confined Six Months.

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894. THOMAS SPIERS was indicted for stealing, on the 14th of February, 1 pump-box, value 20*s.*, the goods of Rowland Morton; to which he pleaded

GUILTY. Aged 23.—Confined Three Months.

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895. GEORGE WILLIAMS was indicted for stealing, on the 21st of February, 1 pair of trowsers, value 5*s.* 6*d.*, the goods of John Overall.

JOHN OVERALL. I live in Thornton-street, Southwark. On the night

of the 21st of February I was watching my property, and saw the prisoner take a pair of trowsers from the door, and run away with them—I followed him, and brought him back, still having them in his possession—I gave him into custody to an officer.

JOHN HAMMOND (*police-constable M* 39.) I have a pair of trowsers, which I received in charge with the prisoner, on the 21st of February.

(*Property produced, and sworn to.*)

Prisoner's Defence. The trowsers laid outside—anybody might pick them up—I had been to Deptford, looking for some work—I saw them on the ground, picked them up, and sent a young man who was with me to tell the prosecutor of it, he ran after me, and said I had taken them.

JOHN OVERALL *re-examined.* They hung on a nail by a string—I saw him catch hold of them, and pull them down—they were inside the door.

GUILTY. Aged 19.—Confined Three Months.

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896. HANNAH READON was indicted for stealing, on the 8th of December, 4 table-cloths, value 2*l.*, the goods of James Burgess, her master.

JAMES BURGESS. I am a painter and glazier—my wife is a laundress, and works for Mr. Harding, of Anderton's hotel, Fleet-street. The prisoner has been in our employ twelve years as a washerwoman—in consequence of information which I received, I took the marks of some linen I brought to be washed, and delivered the linen to the prisoner—among other things was a cloth marked No. 4—I afterwards found the number of cloths I gave her correct, although the No. 4 was missing—on the 12th of February, before they left Mr. Anderton's, I had taken the initials and numbers of twenty-five cloths, and drove home with them—I then delivered them to the prisoner, and told her to count them, and asked if she made twenty-five—she said she did—on the 14th, when No. 4 was missing, I put a mark on them—I had marked that with a bit of yellow worsted, and that particular cloth was missing when she returned me the cloths, but the quantity was right in number—I am responsible for what I do not return—it is worth about 8*s.* or 10*s.*—I missed no other on that day—this could not be accidental.

WILLIAM LEVERICK (*police-constable R* 57.) I was called to the prosecutor's laundry, on the 14th of February. My attention was called to a tub, and under that tub I found a table-cloth, wrapped up in an old cloth—I called to the prisoner afterwards, to point out which tub belonged to her—she pointed to it—I told her to put her hand on it, to be sure whether it was hers or not—she did so—and if it was hers that is the tub I found the table-cloth under—the cloth it is No. 4, and has a bit of yellow worsted in one corner.

Prisoner. I had been above an hour out of the wash-house when he found it.

JAMES LOCKYER. I am shopman to Mr. Mollison, a pawnbroker in Blackfriars-road. I produce some table-cloths—one was pawned on the 8th of December, for 3*s.*—on the 6th of January, one for 4*s.*—on the 7th of January, one for 2*s.* 6*d.*—and on the 8th, one for 2*s.*—they were pawned by the prisoner in the name of Readon.

JAMES BURGESS *re-examined.* I have every reason to believe that they are my cloths—I cannot swear to them—I know this No. 4.—I have fourteen or sixteen other women in my employ—no other woman washes

he things I give the prisoner—she invariably washes Mr. Harding's able-cloths—it is her particular business.

Q. How would she get any benefit by returning you the same number? *A.* Most of Mr. Harding's cloths are very large ones—we always count them ver, and when we leave them at Mr. Harding's they are counted again—ve always had our number right till just before this, and I found she had left . cloth about half the size this ought to be—she had cut half off one, and produced it as a whole one—when she came in at night for her money she used to leave her bonnet and shawl in the place, and return for them afterwards, and then she could cut the table-cloths—I did not know of it till Mr. Harding complained to me of his cloths being cut in halves.

GUILTY. Aged 45.—Confined Eighteen Months.

Before Mr. Common Sergeant.

897. WILLIAM HOLDHAM was indicted for feloniously breaking and entering the dwelling-house of John Postance, at St Olave, Southwark, on the 15th of February, and stealing therein 1 watch-chain, value 3*l.*; 1 necklace, value 3*s.*; 1 snuff-box, value 10*s.*; 1 brooch, value 10*s.*; . piece of foreign silver coin, called a 5-franc-piece, value 4*s.*; 1 guinea, 5 sovereigns, 1 half-sovereign, and 1 crown; the goods and monies of the said John Postance.

ELIZABETH LEE. I live at the Chequers tap, at Hayes Wharf, Tooley-street; it is kept by John Postance, and is in the parish of St. Olave. On the 15th of February I was in the tap-room, and saw the prisoner there with another person, about one o'clock in the day—I was cooking—I saw a door open on the stairs—it had been locked—I had locked it just before myself—it led up stairs to the bedroom—I had occasion to go up stairs, and then found the door wide open—I ran up into the bedroom, and as I came down I met the prisoner on the second story—he had no business there—we had no lodgers—I laid hold of him, and he broke from me, and ran into Mill-lane, without his hat—I followed, calling "Stop-thief" all the way—there was a brooch in a drawer in my master's room—that was gone—there were also six sovereigns wrapped in paper, a silver chain, a snuff-box, and a guinea—the chain is worth 3*l.* and the brooch 1*l.*—when I went up stairs, I found all the drawers wide open—nobody could have done it but the prisoner.

Cross-examined by MR. DOANE. *Q.* You saw him on the stairs? *A.* Yes, I met him—I saw him taken into custody, I think, not five minutes after, perhaps not three minutes—my master is not here.

THOMAS WILKS. I was going down Mill-lane, and heard the cry of "Stop thief"—I saw the prisoner running without a hat on—I jumped out of my cart, and ran after him, and caught him—he said, "For God's sake, don't hold me; let me go"—I helped to take him to the Compter.

CHARLES BROOKS. I was at the public-house—I saw the prisoner at the bottom of the stairs, and heard Lee cry out "Stop thief" and "Murder"—I ran out, and saw a hat and handkerchief on the staircase—I jumped over them, and saw the prisoner running from down stairs, and run out—I ran after him up Mill-lane, round Compter-street, and a witness secured him—I took him to the Compter—there was no other prisoner there but him—the turnkey put him into a little lobby, and then put his hand into his pockets, to see if he had any thing—somebody knocked at the gate—the

cloth and two napkins, which I had to wash—these are all mine—(*looking at them.*)

JOSEPH PARKER. I am assistant to Mr. Tucker, a pawnbroker, at Lambeth-marsh. On Monday morning, at nine o'clock, the prisoner came and brought two table-cloths to our shop to pawn—I am sure of her—she had pawned two napkins before that—I have not a doubt of her—I stopped the articles, and told her to send her mistress, but she did not, and I gave information to the police.

Prisoner's Defence. I know no more of it than a baby unborn.

GUILTY. Aged 30.—Confined Six Months.

(There was another indictment against the prisoner.)

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900. JAMES HATT was indicted for stealing, on the 29th of January, 1 telescope, value 2*l.*, the goods of Thomas Duck Hopper; to which he pleaded

GUILTY.

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901. JAMES HATT was *again* indicted for stealing, on the 4th of February, 16lbs. weight of pork, value 6*s.*, the goods of Thomas Duck Hopper, in a vessel in a port of entry, &c.; to which he pleaded

GUILTY. Aged 17.—Confined Three Months.

(The prisoner received a good character.)

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902. WILLIAM JOSIE was indicted for stealing, on the 7th of February, 35lbs. weight of lead, the goods of Alexander Sampayo, and fixed to a building.

JOSHUA EDWARDS. I live at Barnes. I missed some lead from the house of Mr. Alexander Sampayo—I have charge of the premises—I compared some lead with the balcony, and it fitted.

RICHARD HAYTER (*police-constable V* 28.) At twenty minutes past eight o'clock, on the 7th of February, I saw the prisoner with some lead—he said he found it on the common—this is the lead.

Prisoner's Defence. I was going to Kingston after some work, and found the lead on the common, lying between the furze—I looked at it, threw it down, and went on to Kingston—I came back, took it up, and the officer came and took me with it.

NOT GUILTY.

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903. WILLIAM PHILLIPS was indicted for an assault, with intent to commit an unnatural offence.—2nd COUNT, for a common assault.

GUILTY of the common assault. Aged 21.—Confined Three Months.

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904. GEORGE LAKE was indicted for stealing, on the 22nd of February, 2 shillings, the monies of Timothy Maber, his master.

MR. BODKIN *conducted the Prosecution.*

TIMOTHY MABER. I am a wine and spirit merchant, and live at the Crown, in the New-cut, Lambeth. The prisoner was in my service as

barman—before this he had been in my service, and was discharged—(he went into the service of my brother)—I cannot say when he left him—I wrote to him, and he came to me, I think about a month after he had left my brother's service—I wished him to come into my service, and I agreed with him for 10*l.* the first six months, and 11*l.* 10*s.* the next six months—the last time he entered my service was on the 21st of December—I did not miss money from the till, but I have frequently missed money from a sideboard—in consequence of that I spoke to Mr. Bailey, and an arrangement was made to discover the thief—I marked, in Mr. Bailey's presence, three half-crowns and three single shillings, with an M on one side, and a cross on the other, with the exception of one of the shillings—that was last Wednesday night, the 21st of February—I gave that money to Mr. Bailey—I came down the next morning, about five minutes before eight o'clock—it was the prisoner's duty to serve in the bar—he was down before me that morning—I found him in the bar when I came, and sent him into the cellar—while he was gone I opened the till, and in the first till I came to, I found three marked half-crowns, and 1*s.* 6*d.* not marked—there was no other half-crown in till—I have four or five tills—I examined them all—I found no half-crowns, nor any other marked money in any of the other tills—I left the till in which I saw the money as I found it—the prisoner was to go out that day for a holiday—I was in the bar parlour, behind the liquor-shop, when he was going, which was at eleven o'clock, as near as possible—I stopped him, and took him into the bar parlour—I said I had frequently missed money, and before he went out I should like to see what he had got—he put his hand into his left-hand pocket, pulled his purse out, and put it down on the table—he then put his hand into his right-hand pocket, and took out some halfpence, his knife, and some other things—I examined the purse, and found 2*l.* in gold, and 11*s.* in silver—I asked him if he had any more money about him up stairs or down—he said he had not—I had a policeman waiting in the shop—I called the policeman, and I asked the prisoner, in the presence of the policeman, if he had any more about him, either up stairs or down—he said he had not—I said I was certain he had, and told the policeman to search him, which he did—he did not take off his boots till after he had searched his coat pocket—the prisoner did not mention having any thing more about him then—the policeman found 1*l.* 9*s.* 6*d.* wrapped up in paper, in a handkerchief, in his coat pocket—I looked at it, and found two shillings marked in the same way that I had marked them—they were the same two shillings—I think I said, "That is the money I want"—he said it belonged to some other person; it was neither his nor mine—he was then taken into custody—I had advanced him 3*l.* two days after he came to my service—he had only been out to get his hair cut, from the time he came to my service till he was taken into custody—he was gone then about a quarter of an hour, that is all, to the best of my knowledge—he had paid the laundress—I did not see him pay her, but I saw it in his washing book—I attended before the Magistrate last Thursday, the day he was taken, at three or four o'clock in the afternoon—he had not said any thing in my hearing about receiving any money from a costermonger before he got before the Magistrate.

Cross-examined by Mr. Clarkson. *Q.* How long a time had there been from the time you took him till he was before the Magistrate? *A.* He was taken from my house about eleven o'clock, and was taken before the Magistrate about three o'clock—I left him at a quarter past eleven o'clock

—I have only one shop—I have one lad, and Mrs. Maber, and myself, who take money over the counter—I have another man in the prisoner's place now—in the other three tills there was 4*s.* 6*d.*, and no more, in silver —I cannot say what halfpence—there was no gold—I am generally at home, but not always—when the 1*l.* 9*s.* 6*d.* was found on him he said it was neither his nor mine—I remember that perfectly—I remember that I said, "That is the money that I want."

WILLIAM THURSTON BAILEY. I am a builder, and live in Blackfriar's-road. Mr. Maber marked some half-crowns and shillings, and gave them to me—I gave to my nephew the same that I received from him.

THOMAS CRABB. I am the nephew of Mr. Bailey. I received from him three half-crowns and three shillings—I was not aware they were marked —I went to the prosecutor's house, and bought some spirits of the prisoner —I gave him the same three half-crowns and two shillings—he gave me the change out—this was at a quarter past seven o'clock, on Thursday morning.

Cross-examined. *Q.* What change did he give you? *A.* Ninepence halfpenny.

VALENTINE TITE (*police-constable L* 45.) I was called in, on the 22nd, to Mr. Maber's—Mr. Maber was inside the bar—the prisoner was up tsairs—I was called in the bar, soon after—the prisoner went in just before me—Mr. Maber asked him if he had got any money about him—he said he had no more, up stairs or down—he produced 2*l.* 11*s.* 6*d.*, and 1½*d.*—the money was in the purse—it was after that he said he had no more—I proceeded to search him, by Mr. Maber's direction, and found 1*l.* 9*s.* 6*d.* in silver, amongst which were two marked shillings—I do not know that the prisoner made any remark at the time—he did not give me any account, nor explain it in any way—I found 1*s.* 3*d.* in halfpence, in his box up stairs—this is the money—these are the two marked shillings—(*producing them.*)

TIMOTHY MABER *re-examined.* These are the two shillings that I marked.

(The prisoner received a good character)

GUILTY. Aged 22.—Confined One Year.

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905. JOHN WARREN was indicted for a misdemeanor.

MR. CHAMBERS *conducted the Prosecution.*

ANN STRINGER. My father keeps a baker's shop, in Tooley-street. On Saturday, the 10th of February, the prisoner came into our shop, and asked for a quartern loaf—I served him—he gave me a shilling—I marked it, bit it with my teeth, and cut it with a knife—it was very bad, and I gave it my mother.

PHŒBE STRINGER. My husband keeps a baker's shop. My daughter gave me this shilling—I threw it down on the floor, and said it was a bad one—the prisoner took it up, and had it in his hand—the officer came to the door, and took him—the prisoner said his master gave it him.

Prisoner. I said I picked it up. *Witness.* No—you said in my shop that your master gave it you.

WILLIAM ROE (*police-sergeant M* 10.) I was passing this shop on the 10th of February—I heard a noise, went in, and saw the prisoner and Mrs. Stringer, who said he had offered her daughter a bad shilling—I took the prisoner, and found this bad shilling in his hand—(*producing it*)—I was taking him to the station-house, and saw him put his hand into his pocket—I took his hand, and found in it these three counterfeit shillings —(*producing them*)—the prisoner said he found them in Tooley-street.

Prisoner. You asked me where I got this shilling, I said I picked it up, ınd I gave you three shillings more—in going along I told you I picked hem all up.

JOHN FIELD. I am inspector of counterfeit coin to Her Majesty's Mint. These are all counterfeit—two are from one mould and two from another.

Prisoner's Defence. I picked them up in Tooley-street. I then went to his shop to buy a quartern loaf—I gave the girl 1*s*.—she looked at it, and went to her mother, who came out—I told her I picked it up—I did not say I got it from my master—the policeman came to the door and took me —I told him—I picked it up—I did not know it was bad.

GUILTY. Aged 22.—Confined One Year.

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906. MARY BURNS was indicted for a misdemeanor.

MESSRS. CHAMBERS and SHEA *conducted the Prosecution*.

SAMUEL ELMES (*police-constable M* 76.) On the 17th of February, bout six o'clock in the evening, I was on duty in Newington-causeway— know Richard Priest, a publican—he pointed out to me a man who was n company with the prisoner—I took the prisoner from what Mr. Priest aid to me—while I was going to the station near the Queen's Bench, he prisoner put some coin into her mouth and swallowed it—I endeavoured o get it, but she had swallowed it—I gave the man in charge of Mr. Priest—the prisoner was very uneasy with her hands under her shawl —I took the shawl off, and then she attempted to swallow another oin, but I took it out of her mouth—it was this shilling, which I ıow produce—I had some scuffle with her—a person of the name of Iaynes called out something, and when we got to the station-house, Iaynes produced some more coins, and showed four bad shillings—this was n the prisoner's presence—the prisoner was searched at the station-house y a woman of the name of Stevens.

Prisoner. *Q*. You had hold of both my hands in going down, and ıow could I drop any money? *A*. I did not see you drop any thing.

RICHARD HAYNES. I saw the policeman taking the prisoner to the tation-house—I was behind her—she was scuffling with the policeman, nd I saw five pieces of money drop from under her clothes—I picked up our, and a man picked up another and ran away with it—I went to the tation-house—I have kept the four shillings I picked up ever since, and roduce them now.

MR. FIELD. This one shilling, taken from the prisoner's mouth, is ounterfeit—the other four are also counterfeit, and are all from the same nould.

Prisoner. I had no more than the shilling, and did not know it was bad, hat was taken from my mouth by the officer.

GUILTY.* Aged 21.—Confined Eighteen Months.

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907. SARAH SMITH was indicted for stealing, on the 5th of February, cravats, value 6*d*.; 1 dresser-cloth, value 6*d*.; ¼lb. weight of sugar, value *d*.; 3 lbs. weight of butter, value 2*s*. 6*d*.; 1 lb. weight of candles, value *d*.; 2 wine glasses, value 1*s*.; 1 tumbler glass, value 9*d*.; 5 cups, value *s*.; 5 saucers, value 1*s*.; 1 pair of gloves, value 2*d*.; 3 table-cloths, value *s*.; 2 tea-cloths, value 6*d*.; 1 pair of scissors, value 6*d*.; 6 oz. weight of urrants, value 2*d*.; and 1lb. weight of soap, value 2*d*.; the goods of Samuel Williams, her master.

GEORGE WILLIAMS. I live at Peckham Rye. I returned home from the City about five o'clock on the 5th of February, and found the prisoner in custody—my mother had given her in charge for stealing these things—she was about to leave the house that evening, and they were packed up to take away—she had been with us six weeks—these things were in her bundle—I saw them taken out—they are the property of my father, Samuel Williams.

Prisoner. I gathered them up in a hurry.

ELIZA STOFFELL. I was fetched on the 5th of February, between eight and nine o'clock in the evening, to search the prisoner at Camberwell station, and found these two towels about her person—(*producing them.*)

GEORGE WILLIAMS. These are my father's.

Prisoner's Defence. I was going to leave—the things were in the kitchen drawer—I was very much confused with the charwoman—I had no box at all there—I took my things out from my drawer in a hurry—I had a little to drink that day—these were not pinned up in my bundle—my petticoat was taken off to wash, and I put the cloths round my person—these things were all open for any one to see—I never took a thing out of the house but the two towels that were round me—my mistress would do any thing to transport me, if she could—she had been having words with me that she might not give me a character—the soap is my own—they have paid me no wages.

GEORGE WILLIAMS. We owe her 1*l.* 13*s.*—the Magistrate said she was not entitled to them.

GUILTY.—Aged 52. Confined Three Months.

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908. GEORGE PRIOR was indicted for stealing, on the 6th of February, 2 chaise-springs, value 1*l.*, the goods of John Kesterton, his master.

JAMES CURTIS (*police-constable C* 156.) I was on duty on the 6th of February, about six o'clock in the evening, at a turning at the back of Kennington-common—I saw the prisoner coming along, with a pair of springs on his shoulder—I followed him to the common, and asked him where he brought them from—he said, from his master, Mr. Kesterton, of Camberwell—I said, "What has been done to them?"—he said, they had had a new plate on—I looked at them, but did not see any—I asked him where he was going to take them to—he said "To Vauxhall"—I asked him "Who to?"—he said, "To a steel manufacturer"—I said I thought it was not very probable—he then told me he was going to take them to Westminster—I then took him back to his master, and found they had been stolen.

HENRY APPLEGATH. I am in the service of Mr. John Kesterton. I was acting as foreman at that time, as the foreman was sick—I did not give the prisoner any springs, and he had no right to take them—I know these springs—(*looking at them*)—they are my master's, and ought to have been in the shop—I did not authorise the prisoner to take them—the prisoner said to a man in the shop, when he was brought back, "I have taken a pair of springs from the shop, and have been stopped by a policeman, and I want you to say you sent me with them."

Cross-examined by MR. PHILLIPS. *Q.* Who did he say that to? *A.* To two men—one was a carriage-maker, and the other a smith—they are not here—he said that in my presence—he has been in my master's employ between five and six months.

GUILTY. Aged 19.—Confined Three Months.

CENTRAL CRIMINAL COURT.

COWAN, MAYOR. SIXTH SESSION.

A star (*) denotes that the prisoner has been previously in custody—An obelisk (†), that the prisoner is known to be the associate of bad characters.

LONDON AND MIDDLESEX CASES.

OLD COURT.—*Monday, April 2nd,* 1838.

First Jury, before Mr. Recorder.

909. THOMAS NORTON was indicted for stealing, on the 16th of December, 1 mare, price 2*l.*, the property of Alfred Hill.

ALFRED HILL. I am a jobber, and live at Chase-side, Enfield. On the 15th of December I turned my mare-pony out on Chase Green-common—I missed her next morning, and on the 18th I found her at Edmonton, in possession of Walledge, a policeman—it was delivered up to me—she is worth 2*l.*

JOHN WALLEDGE. I am one of the Edmonton police. On Saturday morning, the 16th of December, about four o'clock, I was on duty at Winchmore-hill, and saw the prisoner and his brother William with a pony, in Hopper's-lane—William was leading it, and the prisoner driving it—it was in an hempen halter—they were about three miles from Chase Green-common—it was the same pony as was afterwards claimed and delivered up to Hill—I suspected by their manner that it was not their own property, and asked them about it—they both said they were going to take it to the pound, but they were going in a different direction—they were on the way to London—I took the horse from William Norton, and led it myself—I told them I was not satisfied, and they must go with me—we went for a quarter of a mile, or further—I questioned them closely, and not being satisfied with their answers, I took out my truncheon to secure them, and William ran away—I secured the prisoner—William was taken a fortnight afterwards, and tried—the prisoner was committed to the House of Correction as a vagabond, and was there at the time of William's trial—he was afterwards taken for this.

Q. How was the prisoner driving the mare? *A.* He was following close behind his brother, by the side of the pony, patting it with his hands, encouraging it to go on.

Prisoner. I had not met my brother ten minutes before the officer over-

took me—I told him where I had been sleeping that night, and I never offered to run away. *Witness.* He told the Magistrate he had been lying under a hay-stack the night before he met his brother—I asked the spot, which he described, and on that spot there was no hay-stack at the time.

NOT GUILTY.

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910. ADELAIDE PAGET was indicted for stealing, on the 17th of January, 1 watch, value 20*s.*, the goods of Charles Harding.

MARY ANN HARDING. I am the wife of Charles Harding, who keeps the Three Compasses public-house, in Glasshouse-street, Whitechapel. On the 13th of January the prisoner hired a furnished room in Compasses-court, which runs up by the side of our house. On the following Wednesday I employed her to clean part of our house—I had a watch hanging in the bar parlour—I missed it that evening, when the prisoner had not been gone five minutes—my husband was serving in the bar at the time she went—I directly went to her room with the police-sergeant, but saw no more of her till she was apprehended—the watch was worth about 1*l.*—I did not lend it to her—she was apprehended about a fortnight after—my husband happened to meet her accidentally in the highway.

Prisoner. *Q.* Was I employed in your house? *A.* Yes—when you came in the morning you said you were very cold, and I lent you an old shawl—you were cleaning the bar out—I did not lend you the watch to pledge—you did not ask me to lend you money on a monthly note, and I did not say I would if my husband would do so—nothing of the sort passed—a monthly note was shown to my husband, to be left with us as a sort of security, but I never lent you the watch.

Q. Did not I leave money at your bar on Monday night, and in the morning spend every farthing I had with you in drink, which was the change of a sovereign I got from a captain? and did not you tell me in the morning, "I have got money belonging to you?" *A.* No, you paid me 3*s.* 6*d.* in advance for a week's rent, that is all the money I received from you, except what you might have spent at the bar, that I know nothing about—you took the room on the 13th, and on the 17th took the watch.

Prisoner. I left money with her to get a gown out of pawn—she was very much in liquor at the time—she told the Magistrate I was a stranger to her—he said it was singular I should be allowed to be in the bar-parlour—then she said I was a friend. *Witness.* I did not consider her any thing but a stranger, not having seen her till she took the room.

THOMAS ARNOLD. I am a policeman. I apprehended the prisoner at the desire of Charles Harding—he gave her into my custody for stealing a watch—she said she did not steal it, but Mrs. Harding had lent it her to pledge to raise a little money.

Prisoner. *Q.* Did not the prosecutrix acknowledge to the Magistrate that she and I had three quarterns of rum together that night? *A.* I do not recollect any thing of the kind.

THOMAS GEORGE SIZER. I am foreman to Mr. Kennedy, pawnbroker, in High-street, Shadwell. I produce a watch, which was pawned on the 18th of January, by the prisoner, for 10*s.*—she said it was her own, and gave the name of Poynt, High-street.

(*Property produced and sworn to.*)

Prisoner's Defence. I did not say it was my own—he never asked me

my name—I had taken a room of Mrs. Harding on the Saturday previous, and paid her the rent on Saturday—on Monday night I was cleaning the tap-room, having been employed in the bar, and then went out with her—she gave me money to buy grocery at a shop—we then went into a public-house, and had three quarterns of rum—I had received a letter from my husband to go to a young man's mother, and not being respectable, as they had always seen me, I asked Mrs. Harding to lend me money on a monthly note—she said she would, if Mr. Harding agreed to it—he refused, and while we were out drinking she said she would lend me the watch to pawn, provided I would get it out of pawn by the first of February—I went out the next morning, and pawned the watch for 10*s*.—I had broken my arm that night—about a fortnight after I met the prosecutor walking with a gentleman, and spoke to him—he said I was the person he wanted, where was his watch—I said it was pawned, and told him where it was pawned—he said, who gave me authority to pawn it?—I said, "Mrs. Harding"—he said, why not send him the ticket?—I said there was no occasion, as I had promised to get it out by the 1st of February—I asked him to take my monthly note as security, and he might send a young man with me to the Admiralty to get the money—he said he would not—I said, "Then I must go home," and he gave me in charge.

CHARLES HARDING. In going down the highway, about a fortnight after the robbery, I met the prisoner, and told her I wanted her about the watch—she said, "Mrs. Harding lent it to me"—I said, "Then why should you leave the house?"—she said, "I understood the police were after me"—I said, "If it was lent to you, why do you fear the police?"—I know nothing of her breaking her arm.

Prisoner. What Mr. Harding has said is false—Mr. and Mrs. Harding were quarrelling, and she threw a quart pot at her husband's head—she was in liquor very much—she and I had been out drinking.

MRS. HARDING *re-examined*. I was not drunk—I did not throw the pot at my husband's head.

CHARLES HARDING *re-examined*. At the time I was serving some beer, there was a person taking some cans out—my wife disputed whether the pots should go with the cans, and she did strike me with a pot—my wife caught her gown on fire, which made her ill, after this happened, and prevented her coming here last Session.

NOT GUILTY.

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911. JOHN BROOKS was indicted for wilful and corrupt perjury.

NOT GUILTY.

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912. EDWARD GOVETT was indicted for wilful and corrupt perjury.

NOT GUILTY.

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913. WILLIAM CHILDS was indicted for stealing, on the 20th of March, 59lbs. weight of pork, value 9*s*. 9*d*., the goods of John Reed; to which he pleaded

GUILTY. Aged 60.—Confined Three Months.

914. GEORGE BEDFORD was indicted for stealing, on the 5th of March, 2 hats, value 9*s.*, the goods of George Perring.

THOMAS ALDRIDGE. I am servant to Mr. George Perring, of No. 57, Cheapside. On the evening of the 5th of March I saw the prisoner at the shop—he took two hats, and ran away—they had been in the shop, near the door—I followed, and came up with him 200 yards from the shop, in Bow churchyard—I took the hats from him, and gave him in charge of an officer—these are the hats—they are my master's.

ROBERT SHEPHERD. I am watchman of cordwainer's Ward. I took the prisoner, and produce the hats.

GUILTY.*—Confined One Year.

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915. WILLIAM TREW was indicted for stealing, on the 10th of March, 1 coat, value 20*s.*, the goods of Edwin Daniel; and that he had been before convicted of felony.

EDWIN DANIEL. I am in the employ of Francis M'Grath, a grocer, of King-street, Hammersmith. Between twelve and one o'clock, on the 10th of March, I left my master's cart in Bread-street, and went to a tobacconist's—I left my coat in the cart—I was away ten minutes, and then missed my coat—I have since seen it—the officer had it when he took the prisoner with it.

JOHN RAWLINSON. I am a carman, and live at No. 26, Bread-street-hill. I met the prisoner in Basing-lane—I saw him turn into Basing-lane with the coat on his arm—I ran, and stopped him in the churchyard—I brought him back, and gave him to the officer.

JAMES CUTHBERT. I am an officer. The coat was given to me, but I have been detained at the Mansion-house, and have not had time to get the coat—I have it at home.

EDWIN DANIEL *re-examined.* I saw the coat again, on the day the prisoner was taken, in the officer's hands—I am sure it is the one I had in the cart.

JOHN RAWLINSON *re-examined.* I gave the officer the same coat as I took from the prisoner.

ROBERT GADBURY. I am a patrol of Bread-street Ward. I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—I was present at the former trial—I had apprehended him—he is the person mentioned.

GUILTY. Aged 27.—Confined One Year.

OLD COURT.—*Tuesday, April 3rd,* 1838.

Second Jury, before Mr. Sergeant Arabin.

916. STEPHEN DAVIS was indicted for feloniously forging and uttering a request for the delivery of 1 gallon of improved brandy in a basket bottle, with intent to defraud Henry Brett.

HENRY BRETT. I am in the employ of my father, Henry Brett, a wine and brandy merchant, at Holborn-bars. We have a customer named F. Edwards—he has dealt with us some time—the prisoner had been in his employ,

and came to us repeatedly for goods—on the 22nd of March he came and produced this request to me—I let him have a gallon of brandy, a basket, and a bottle, which we call a flask—(*request read.*)—"Please let the bearer have one gallon of improved brandy, a basket, and a bottle, for I. A. Edwards."

Cross-examined by Mr. Payne. *Q.* Are you quite sure this was the order the prisoner presented to you? *A.* Certainly—there is a mark on it by which I know it.

Frederick Edwards. I am the son of John Absalom Edwards, and live in Cambridge-terrace, Edgware-road. The prisoner was about three months in his service, and left on the 10th of February—he was not with him in March—this request is not my father's writing.

Cross-examined. *Q.* When did he leave? *A.* On the 10th of February—the order is not my writing, nor my father's—I never saw the prisoner's writing, and cannot say whether he can write or not.

NOT GUILTY.

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917. THOMAS EDMUND WYATT was indicted for stealing, on the 13th of March, 1 spoon, value 10*s.*, the goods of Thomas Jefferson Holt; and that he had been before convicted of felony.

Thomas Jefferson Holt. I am a confectioner, and live in St. Paul's churchyard. On the 13th of March the prisoner came to my shop—I did not know him before—he called for a plate of ox-tail soup which was supplied to him by my servant—my attention was called to him—he was there about half an hour—I had lost spoons before, and when he left, I went up into the soup room and missed the spoon—I followed him—he ran to near Paternoster-row—I came up to him and said, "Young man give me my property"—he said, "It is in my coat pocket"—he drew it from his pocket, and put it into my hand—I said, "This is the second time I have been served this trick," and took him to the watch-house.

George John Restieaux. I am a policeman. I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—I was a witness against him—he is the same man—he was imprisoned three months.

GUILTY. Aged 22.—Transported for Fourteen Years.

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918. JOHN M'LAREN was indicted for stealing, on the 27th of March, 1 coat, value 10*s.*, the goods of Henry Gosden.

Henry Gosden. I live with Mr. Hedges, a harness-maker and horse-dealer, in Burn-street, Paddington. About three weeks or a month ago my master brought the prisoner home to do a job—he was a stranger till then—master gave him supper that night, and he came and asked mistress for a light to go to bed, as he was to sleep there; but he went away, and I missed my coat—I never found him till I met him in Smithfield on the 27th of March—I knew him again—he had got my coat on his back—I said, "Halloo my fellow"—he said, "Stop, stop, I will give you the coat, don't make a *row*," and then he ran away—I ran after him, and called a policeman, and he was secured—this is my coat—(*looking at it*)—it had laid on my bed.

William Devonshire. I am a policeman. I heard the prosecutor calling for the police, and I secured the prisoner with the coat on his back—he said he meant to give it back to the boy.

Prisoner's Defence. I was in the market, and his master asked if I wanted a job—he set me to clean some horses, and to take them home—I asked him if he could tell me a regular job—his master agreed for me to stop there a week for my victuals, and I was to lie on the straw in the room in which this boy slept—I could not find any straw, and I put on his coat to go and find him, but I could not find him—when I came back the stable was fastened, and I did not like to disturb them—I should have returned the coat, but I was looking for a situation.

GUILTY. Aged 26.—Confined Three Months.

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919. JOSEPH SMITH and GEORGE BAILEY were indicted for stealing, on the 3rd of March, 12lbs. weight of sugar, value 9*s.*, the goods of John Hinton, and another.

ROBERT TYRRELL. I am a police-officer at the General Post-office. On the 3rd of March, about half-past nine o'clock in the evening, Mr. Hinton's chaise stood at the door of the King's Head, Newgate-street—the prisoner Bailey went and looked into it, and went away again—he returned in about a minute, took a parcel out, and gave it to the prisoner Smith, who had a bag which he put it into—I went over, seized Smith, put him into a shop, and left him in charge—I went over, secured Bailey, brought him into the shop, and handcuffed them and took them to the Compter—when I asked Smith what he had got there he said he did not know, a man had just given it to him to hold—when I brought them together I said to Smith, "Is this the man who gave you the sugar?"—he said, "No, I don't know that man."

Cross-examined by MR. BALLANTINE. *Q.* This was in the evening? *A.* Yes; it was quite dark—I was standing opposite the chaise—I took Smith first, and Bailey about two minutes after—he walked away, and I lost sight of him—when I took him, he was coming from the opposite side to the chaise—what makes me certain of him was, seeing him go twice to the chaise—I did not know him before—the gas was lighted.

GEORGE BAXTER. I am servant to John Hinton, of the King's Head, Newgate-street. I had put this sugar into the chaise—I had bought it for my master, not a quarter of an hour before—I merely ran into the house to call somebody out, while it was taken.

Bailey's Defenee. A man came along, and asked me to hold the parcel, and he would give me a pint of beer.

(The prisoners received good characters.)

BAILEY—GUILTY. Aged 23.
SMITH—GUILTY. Aged 41.
} Confined Three Months.

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920. EDWARD LONG was indicted for stealing, on the 21st of March, 1 cap, value 9*d.*, the goods of Thomas Robert Hartley.

WILLIAM JOHNSON. I am a policeman. On the 21st of March I was in Barbican, and saw the prisoner take a cap from Mr. Hartley's shop door—I went and took him, and took it from him, about three doors from the house.

THOMAS ROBERT HARTLEY. I keep the shop. This cap is my property.

GUILTY. Aged 14.—Confined Six Months.

921. WILLIAM SMITH was indicted for stealing, on the 27th of September, 1 watch, value 2*l.* 2*s.*, the goods of Jonah West Barnet.

MR. BALLANTINE *conducted the Prosecution.*

JONAH WEST BARNET. I am in the employ of Leaf and Co., warehousemen. I have seen a watch produced by the officer—it belongs to me—it is nine months since I had seen it safe—I kept it in a drawer in my bed-room, unlocked—I do not remember seeing it after that, till it was brought to me by young Mr. Smith, at Guildhall, about three months ago—I had had it ever since my father's death.

Cross-examined by MR. DOANE. *Q.* Young Mr. Smith is the prisoner's son? *A.* Yes—I am certain it is my watch—the drawer was unlocked—there are a great number of persons employed in the house.

ELIZABETH SANDOVER. I am in the employ of Leaf and Co. I know the prisoner—he was at work there at the latter end of September, repairing a room, close adjoining the room Barnet sleeps in—the door of the room was not locked—he was also employed in other parts of the house.

EDWARD EYRE. I am in the employ of John Leschalles, of Princes-street, Spitalfields. On the 27th of September the prisoner was employed at Leaf and Co.'s, in Wood-street, as a journeyman carpenter.

WILLIAM BARNET. I live at No. 7, Britannia-street, City-road. I was in company with the prisoner and his son last September, at the prisoner's house, in Hackney-road—I went there with the son to supper—I never saw the prisoner before that—after supper I asked what o'clock it was—the prisoner took out a watch, and showed me that it was twenty minutes after ten o'clock—I asked him if he was sure he was right—he said yes, it was a very good watch, he never had a better, and handed it over to me, and said, what did I think he gave for it—I opened it, looked at the face of it, and found my name in it—I said, "Who did you buy it of"—he said, "Of two men, at a public-house"—I saw my name, and the number of it, and said, "Good God! this is my watch; my father had it eighteen years ago."

Cross-examined. *Q.* Did not you say you would go and ask your mother about it, as she knew your watch? *A.* No, I did not—I did not make inquiry about it of anybody—I gave it back to the prisoner then—he told me before I opened it, that he gave 10*s.* for it, and it cost him three half-crowns to repair it—he did not say he was fearful he had made a bad bargain, finding the main-spring broken—he said it was very much out of repair—I was a perfect stranger to him—he did not show me the watch till I asked what o'clock it was—when I opened it, I said, "This is my watch"—he told me how he had got it before I claimed it—I did not go to my brother, he came to me—I told him what had occurred the night before.

Q. Was it not agreed, on your claiming it, that you should have it back provided he got the 17*s.* 6*d.* which it cost him? *A.* A message came to me next day, by his son, that I should have it by paying the 17*s.* 6*d.*—I said if he would bring the watch he should have the money, but it never was brought—I never saw him again—I did not communicate this to Leaf and Co. for two or three weeks—it is at their instance this prosecution is instituted—I never saw the prisoner's daughter at any house—I said it was a pity he had not given me the watch at once, and then he would not have got into trouble—I did not then suggest he had better get out of the way—I felt for the man, having a family—I do not know how long it was before

a warrant was issued for his apprehension—I saw him in custody last Thursday week—I saw the watch in December.

MR. BALLANTINE. *Q.* You had no reason to suppose he had stolen the watch? *A.* Certainly not—I knew nothing about his having worked for Leaf.

JOHN CARTER. I am a watch-maker, and live in Hackney-road. This watch was left at my house to repair, the last week in September, or before the 3rd of October, in the name of Smith—I cannot speak to the person of the man who brought it.

JOHN ROE. I am an officer. About three or four months ago I was applied to about this watch—I made several applications to the prisoner's son, and endeavoured to find the prisoner, but was not able to do so for two or three months—I went to his house—I got a warrant for him at last—about five weeks ago I saw him one day go into his garden in Hackney-road—I did not know he was Mr. Smith, but I said to him, "How do you do, Mr. Smith?"—he said, "I am very well, thank you, how are you?"—I then said I had a warrant against him respecting the matter of the watch—he said, "You are mistaken, I am not the person you mean"—I then said I should not take him away from his family without their knowing where he was going, and asked him to explain the matter—he knocked at the door, and it was opened—he went along the passage and called at the kitchen stairs for a light, and when the light appeared I saw his body over the wall in the garden—I just saw his feet going over—there was a back door in the centre of the stairs, at which he must have gone out—I endeavoured to follow him, but was prevented by his wife—I succeeded in taking him about three weeks afterwards—it was on a Saturday night that he ran away—I asked him who was with him at the time he purchased the watch, and he said his son.

NOT GUILTY.

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922. SARAH LITCHFIELD was indicted for stealing, on the 4th of September, 1 pair of drawers, value 1*s.*, the goods of Francis Russell: 5 shirts, value 1*l.*; 2 shoe-buckles, value 8*s.*; 1 pair of trowsers, value 3*s.*; 1 table-cloth, value 4*s.*; 1 bed-gown, value 3*s.*; 2 pillow-cases, value 2*s.*; and 2 handkerchiefs, value 4*s.*; the goods of John Russell, her master: also, for stealing, on the 19th of January, 1 sacramental cup, value 1*l.*, the goods of John Russell, her master; to both of which indictments she pleaded

GUILTY. Aged 44.—Transported for Seven Years.

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923. WILLIAM BAKER was indicted for stealing, on the 20th of March, 7¾lbs. weight of tobacco, value 25*s.*, the goods of Joseph Procter, his master.

JOSEPH PROCTER. I am a tobacconist, and live in Bishopsgate-street. The prisoner was my servant, and slept in the house—I had suspicion, and on the morning of the 20th of March, my female servant gave me information—I saw the prisoner coming out of his bed-room, and I said to him, "Charles, I am told you have some tobacco here?"—he said he had none—I said, "I insist on your letting me see it; what have you in the bundle under your arm?" he said, "My dirty things"—I said, "Let me see them"—he opened the bundle on the bed, and said, "You see they are

dirty shirts"—I said, "What is in them?"—he said, "I hope you will forgive me"—I undid the shirts, and there was 7¾lbs. of tobacco in them—he had been three weeks and one day in my employ.

(The prisoner received a good character.)

GUILTY. Aged 22.—Confined Three Months.

Before Mr. Recorder.

924. JAMES BROWN was indicted for stealing, on the 23rd of March, 14 rings, value 4*l.* 15*s.*, the goods of James Smee.

MARY SMEE. I am the wife of James Smee, a jeweller, in the Minories. On the evening of the 23rd of March I was called into my husband's shop, by the shopman, and saw the prisoner—I showed him fourteen gold wedding-rings on a card—he tried on two or three, then snatched the card from my hand, and ran out of the shop—I ran after him, crying "Stop thief," and he was stopped by two watchmen, and the property was found on him.

NELSON RICKET. I am a watchman. I heard a cry of "Stop thief," and saw the prisoner running—I stopped him—Mrs. Smee came up, and said she had lost a card of wedding-rings—I asked the prisoner where they were, and said to another watchman, "Look for them"—the prisoner said, "There is no occasion to look for them, I have got them," and pulled out of his breast a card containing fourteen rings.

(*Property produced and sworn to.*)

GUILTY. Aged 22.—Confined One Year.

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925. CHARLES PROBERT and HENRY GRIFFITHS were indicted for stealing, on the 19th of March, 1 £100 Bank-note, the property of John Pollexben Pownall Wade Bastard; and THOMAS BALL for feloniously receiving the same, well knowing it to be stolen; and JOHN PAUL, as accessory after the fact.

JOHN POLLEXBEN POWNALL WADE BASTARD. I am a lieutenant in the Royal Horse Guards Blue. On Monday, the 19th of March, I gave George Carrington a cheque for £300, on Cox and Biddulph—this is the cheque—(*looking at it*)—I saw him go into the banking-house with the cheque—he came out, and gave me the money directly—there were two £100 notes and seven £10 notes among it—30*l.* was deducted—I desired him to keep the 30*l.*—I took the two £100 notes, and seven £10 notes, home with me—I left one £100 note and the seven £10 notes at home—I put one £100 note into my waistcoat pocket, and went to Mr. Wright's, in Gough-street, Gray's Inn-lane—I was there about half an hour, and then went to Pall Mall, and when I got there I found the note was gone out of my pocket—I was at Wright's about half-past two o'clock, and at Pall Mall at ten minutes after three o'clock, when I missed the note—I looked at my watch after I missed it—the cheque was drawn by Mr. Sandford—I did not notice either of the prisoners any where that day.

Cross-examined by MR. PHILLIPS. *Q.* There was no attempt to rob you at all? *A.* No, it must have got out of my pocket—my impression is, that I dropped it while I was looking at a coach in the mail-coach factory—I have recovered the note—it went to the Bank to be changed.

COURT. *Q.* Where is it your impression that you dropped it? *A.* Why, at

Wright's mail-coach factory—I certainly had it in my pocket when I left the barracks, and I went direct there—I did not get out of my *cab* till I got there.

GEORGE CARRINGTON. I am a stable-keeper, and live in Albion-street, Hyde Park. On the 19th of March, Mr. Bastard gave me a cheque on Messrs. Cox and Biddulph, Charing-cross—I got it cashed there, and got two £100 Bank-of-England notes, and ten £10 notes—I gave Mr. Bastard the two £100 notes, and seven of the £10 notes, retaining, by his desire, the other three.

WILLIAM HARE. I am cashier to Cox and Co., Charing-cross. On the 19th of March I cashed this cheque—I gave two £100 notes, and ten £10 notes—one of the £100 notes was No. 645, dated 10th January, 1838, and the other was No. 2403 of the same date—it is not the custom to issue two notes of the same amount, with the same number and date.

JOHN KEMPSTER. I am a clerk in the Bank of England. On the 19th of March a man tendered to me a £100 note, No. 2403, dated 10th January, 1838—it was about a quarter before four o'clock—there was no name or address on the note at the time he presented it; but we always require the name and address, and I asked him for it—he took it away, and returned it me, after getting some one to put a name and address on it—it was, "Thomas Lack, Laystall-street, Gray's Inn-lane"—I asked him in what way he would have it cashed, and I paid him 100 sovereigns—it was a labouring man—I cannot say either of the prisoners was the man.

THOMAS BROWNING. I live in Munster-street, York-square, and am clerk to Mr. Wright, mail coach contracter, in Gough-street, Gray's Inn-lane. I saw the prosecutor there on the 19th of March—the prisoners were in Mr. Wright's employ—their business would probably bring them there at the time the prosecutor was there—they would be about the premises in the ordinary course of things—they were employed there that day—the prosecutor was in the factory yard—he went down to a part of the yard where there was a quantity of iron lying, to look at a coach which was standing there—after the prosecutor left the yard, the prisoner Ball came to me and asked permission to leave the factory for about ten minutes or so—I gave him permission, and he was gone nearly or quite an hour—I did not learn that the note had been lost till ten o'clock next morning—I then immediately went round the factory, and made known to all the men that a note had been lost, and offered a reward of 10*l.*, on my own responsibility, to any man that would bring it to the counting-house, not knowing then that it had been paid in—I gave notice of it to the prisoners among the rest.

WILLIAM BALLARD. I am an officer of Bow-street. In consequence of information I received I went to the premises of Mr. Wright, on the 21st of March, accompanied by Mr. Kempster—I saw the prisoner Ball on the premises, with two or three other men, washing one of the coaches—we went there to look at one of the other men who was known to be absent at the time the note was lost—we afterwards went round the factory—I had occasion to leave, and returned late in the afternoon, and while in the counting-house the prisoner Ball came in—he said he understood there was 10*l.* reward offered for the £100 note, and hoped that he should have the 10*l.* and be pardoned if he told the truth—no promise or threat was made to him—I answered, "I can say nothing to that, did you pick the note up?"—he said no he did not, but he had been and got it changed—I

asked him where the money was—he said it was all safe—I asked where—he said it was at Westminster, and said that he had had 10*l.* himself for getting it changed, and he had about 8*l.* left, and could make up the other two—something was said as to who he had it from, and who had got the money there, and he then mentioned Probert's name—that Probert had picked up the note—I then sent for Probert, and asked him where the money was—he said it was at home, and he could get it—I did not tell him what Ball had said about his picking up the note—I asked him how much he had—he said, 50*l.*, and that he had the whole of it at home—he then said he had picked up the note near where the iron laid in the factory yard, and had shown it to Griffiths, and Griffiths and he went to Ball with it—I then sent for Griffiths, and asked him where the money was—he said it was at home—I asked how much he had—he said 35*l.*, that he had spent 3*l.* or 4*l.* of it, but he could get the other—Griffiths admitted that Probert had shown him the note, and said they went together to Ball, who went and got it changed—somebody standing by the counting-house observed to me that I had not got the whole—I asked who had got the rest, and some one answered that Paul had had 5*l.* of it—Paul was sent for and came—I asked him where the money was—he said 4*l.* of it was at home in a box, and he had spent 1*l.*—he gave me the keys of a box out of which I afterwards went and got 4*l.* 13*s.*—he was asked why he had received the 5*l.*, or what he had received it for, and some one answered, "To hold his tongue"—I said, "What do you think we think you received it for"—he made some answer, and admitted, not certainly in direct words, that it was for that purpose—he was a washer at the same coach with Ball—I went down to Horseferry-road with Probert, and in going we saw a young girl who he said was his sister—he asked her for the money, and directed her to go down stairs and get it, and in about five minutes she brought up fifty sovereigns wrapped up as these now appear—(*producing them*)—I afterwards went with Griffiths to his house, to his mother's at least, and the mother gave me 30*l.*—next morning Ball took me to his residence No. 29, Hare-street, and told his wife to give me the money—she opened a box and gave me 8*l.*—next morning Griffiths's sister-in-law brought me up the other 5*l.*, making up the 35*l.* he had got—there is about 2*l.* 13*s.* short altogether.

THOMAS BROWNING *re-examined.* *Q.* How soon after Mr. Bastard left did Ball apply to you? *A.* About ten minutes after three o'clock—Mr. Bastard left about a quarter to three o'clock.

NOT GUILTY.

NEW COURT.—*Tuesday, April 3rd*, 1838.

Fifth Jury, before Mr. Common Sergeant.

926. JOHN ASHMAN was indicted for stealing, on the 25th of March, 3 brass knobs, value 2*s.*, the goods of the churchwardens of the parish of Saint Sepulchre.—2nd COUNT, stating them to be the goods of the parishioners of the said parish,—to which he pleaded

GUILTY. Aged 53.—Confined Three Months.

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927. WILLIAM SILVESTER was indicted for stealing, on the 3rd of March, 1 handkerchief, value 2*s.* 6*d.*, the goods of Charles Collambell, from his person.

CHARLES COLLAMBELL. I live at No. 4, Dover-place, New Kent-road, and am a surgeon. About nine o'clock at night, on Saturday, the 3rd of March, I was near St. Bride's church, in Fleet-street—I felt a sudden twitch at my pocket—I turned round, and saw three men behind me—I collared one—that was not the prisoner—I saw the prisoner turn up Bride-lane—I immediately pursued, stopped him, and charged him with having picked my pocket, and on searching him I found my handkerchief tucked inside his breast—this is it—(*looking at it.*)

Prisoner. *Q.* Where was the last place you had your handkerchief? *A.* By the corner of Bouverie-street—I had it when I came down Fleet-street—I did not say at the watch-house that I could only swear to the handkerchief by the pattern—there is no mark on it, but I feel perfectly satisfied that it is mine.

WILLIAM GROVE. I am an officer. I was called, and the prosecutor gave me the handkerchief.

Prisoner. *Q.* Did not the gentleman say he only knew it by the pattern? *A.* He said there were no letters on it—I did not hear him say any thing about the pattern—I asked him if there was any mark on it—he said, no, but he would swear to the handkerchief.

Prisoner's Defence. I saw this handkerchief lying down, and picked it up—I turned down Bride-lane—the gentleman came up to me, and said, "Have you got my handkerchief?"—I said, "Is it yours?"—I did not deny it—he said, "Come to the watch-house"—which I did.

GUILTY.—Aged 32. Confined Six Months.

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928. WILLIAM BLACKWOOD and MARY ANN PRICE were indicted for stealing, on the 19th of March, 1 handkerchief, value 2*s.*, the goods of Thomas Hollingshead, from his person.

THOMAS HOLLINGSHEAD. I live at No. 3, Fenwick-court, Holborn. On the 19th of March I was in Black Horse-court, Fleet-street—I observed an assault on a gentleman—I went down, and in going to the station-house with the gentleman, when within two steps of the station, I felt something at my pocket—I felt, and my handkerchief was gone—this is mine—I know it by the pattern—there is no mark on it—there were two or three officers near me, and I saw the handkerchief drop—I cannot say from whom—as soon as I turned round the two prisoners were at my back, and in custody, and the handkerchief fell at my feet—it was as near to their feet as mine.

Price. Was I not before you?—I went to see what was the matter—I went to the watch-house, and there was a handkerchief dropped from my shawl—I do not know who put it there—two officers came and laid hold of me—I was far before him—I was looking over the watch-house door. *Witness.* I saw no handkerchief near her shawl.

Blackwood. *Q.* Was I not a good way behind you? *A.* No, close.

CHARLES THORP. I am patrol of St. Bride's. I was on this evening in Black Horse-court—I saw the two prisoners behind the gentleman—I knew them both before—I stood on one side to make way for the charge, and saw Blackwood take the handkerchief from the gentleman, and he gave it to Price—she put it under her left arm, under her shawl—he immediately stooped down, and began to tie his shoe—I laid hold of his collar, and told the gentleman I knew where the handkerchief was—in putting them into the watch-house the handkerchief fell from Price's shawl—I knew them before—they are ac-

quainted—I had seen them together for two hours before, walking up and down Fleet-street.

JOHN JONES. I am a watchman of St. Bride's. I was in the watch-house—I saw the handkerchief drop from the female prisoner.

Price's Defence. I know nothing of this boy.

Blackwood's Defence. There was the fight in a street—I was looking, and then I went to the watch-house to see the man; as I was going the gentleman caught hold of me, and put me into the watch-house.

BLACKWOOD*—GUILTY. Aged 16.—Transported for Ten Years.
PRICE*—GUILTY. Aged 16.—Confined One Year.

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929. JOHN CASHMAN was indicted for stealing, on the 10th of March, 1 bed-tick, value 6*d.*; 4 handkerchiefs, value 1*s.* 6*d.*; 3 pairs of stockings, value 1*s.* 6*d.*; 1 cloak, value 1*s.*; 1 pewter pot, value 3*d.*; 1 tea-pot, value 1*s.*; 1 pair of shoes, value 3*d.*; and ½lb. weight of horse-hair, value 6*d.*; the goods of Jemima Wilson.

GEORGE BAKER. I am a watchman of St. Dunstan's. About half-past three o'clock, on the morning of the 4th of March, I was going down Neville's-court, and found the door of No. 4, open—I went in, and went round the corner, up to the water-closet, and found the prisoner coming out—I asked what he did there—he said he went to ease himself—I said that would not do for me—he turned round and ran away, I sprung my rattle, and caught him on New-street-hill—I brought him back, and found in his coat pocket three pairs of stockings, and a comforter.

THOMAS QUINNELL. I am a watchman of St. Dunstan's. I went to Baker's assistance, and we found the prisoner coming out of the privy—he said he had been to ease himself—he then ran off—Baker followed and brought him back—I went into the privy, and found a red cloak, a pint pot, and a bed-tick.

FRANCIS REXTER. I am an officer. The prisoner was brought to the watch-house—I found in his hat a silk handkerchief, and two cotton ones—in his pocket a phosphorus box, some trinkets, and a key which opened the door of the house.

JEMIMA WILSON. I am a widow, and live in this house. I was in bed that night—this property all belongs to me—I had left them all in the kitchen, down stairs, except the cloak, which was at the one-pair of stairs door.

Cross-examined by MR. PHILLIPS. *Q.* How was your door? *A.* It was shut safe, but only on the latch—this is a common latch-key—I have two lodgers—they were in bed—I was the last up—there were more valuable things in the house.

(J. Nightingale, a fishmonger, Bridgewater-gardens, and W. Harrow, a fancy trimming maker, Bridgewater-gardens, gave the prisoner a good character.)

GUILTY. Aged 33.—Transported for Seven Years.

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930. WILLIAM MARSDEN and CATHERINE CONNOR were indicted for stealing, on the 10th of March, 1 handkerchief, value 2*s.*, the goods of John Evans, from his person.

JOHN EVANS. About three o'clock on Saturday, the 10th of March, I was passing through Lombard-street—a gentleman tapped me on the

shoulder, and said something that induced me to put my hand into my pocket, and my handkerchief was gone—I cannot say how long before I had seen it, probably a few minutes—the gentleman had hold of the male prisoner with one hand, and the handkerchief in the other—it was mine—it was marked with my initials—I had not seen either of the prisoners near me—they were behind me.

PHILIP PARISH. I am a City police-constable. I was in Clement's-lane, and saw the two prisoners walking together—they walked to Lombard-street, and then to Gracechurch-street, and turned back to Lombard-street—they met the prosecutor and another gentleman, walking—they then turned, and Marsden took this handkerchief from the prosecutor's pocket—a gentleman seized him with the handkerchief—Connor walked off—I desired the gentleman to follow her, and take her, which he did—she was with Marsden, and by his side, when he did it.

MARSDEN—GUILTY. Aged 15.—Transported for Ten Years.
CONNOR—NOT GUILTY.

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931. GEORGE WILLIAMS was indicted for stealing, on the 31st of March, 1 pair of trowsers, value 3*s.* 6*d.*; and 1 waistcoat, value 4*s.*; the goods of Thomas Martin.

JOHN CHRISTIAN FRY. I am in the employ of Thomas Martin, a pawnbroker, on Snow-hill. About nine o'clock in the morning of the 31st of March, I was at the window—there was a pair of trowsers and a waistcoat inside the door—I saw them taken down—I did not see who took them, but I saw the prisoner walk past the window with them—I pursued him—he turned down a court and dropped them—I believe it was the prisoner, but his back was towards me—I pursued him, and cried "Stop thief"—he was stopped by a man at the top of the court—he came back, and was given into custody—he did not deny the robbery—there was no other person that could have dropped them that I saw.

Prisoner. There were plenty of people about. *Witness.* I believe him to be the man that dropped them—I did not see him take them down—I did not see him near the shop before they were missing—I asked him what he did it for, and he said, "For distress"—the things were cut down.

HENRY KIPLING. I am a porter at the George. I heard a cry of "Stop thief," and saw the prisoner running up the court—I stopped him—I did not see him drop any thing, but he took a knife and threw it in at my door—it was a shoemaker's knife.

JOHN SCOTT (*City police-constable*). I took the prisoner, and have the property.

Prisoner's Defence. At nine o'clock in the morning in the City there are plenty of people passing, and this person tried to find some one else that saw me do it, but they could not—I was going up the turning, and I suppose it was because I had a ragged coat on—I can give no other reason for it.

NOT GUILTY.

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932. JOHN HARRIS and WILLIAM ATKINS were indicted for stealing, on the 6th of March, 1 purse, value 6*d.*; 4 sovereigns, 1 half-crown, 6 shillings, and 3 sixpences; the goods and monies of Harriet Perry, from her person.

HARRIET PERRY. I live at No. 7, Westminster-bridge-road, and am single. About two o'clock in the day, on the 6th of March, I was in Water-lane, Blackfriars—there was a pressure on my left shoulder, and then on my right—I put my hand to my pocket, and my purse was gone, with four sovereigns and 10*s*.—I saw Harris, and I suppose he was one of those pressing—only two appeared to be pressing—Harris was one—the purse was on my right hand—he was on the right also—he was running away, and my purse was gone—he put his hand into my pocket I suppose—some one put his hand in—I am quite sure Harris was on the right—I do not know who was on the left.

Cross-examined by MR. CLARKSON. *Q.* There was no crowd of people? *A.* No, nobody but two persons—I felt my purse taken from my pocket—I told the Magistrate so—I do not know how many people have been taken up on this charge—I swore to Harris, because he had the same sort of clothes on that the boy had who was passing me—there were two other boys taken—they had not the same clothes on—I cannot say how they came to take them—I saw the other boys the next day at Guildhall, before the Magistrate—there were four brought up—I spoke to Harris—I said at the station-house that he was the same—I had never seen Harris before—when I went to complain that I had lost my purse, I did not say that I had seen two boys dressed like Harris and Atkins, and they were near me—I only saw one, that was Harris—I was pressed on both sides at the same time—I have never found my purse nor money.

COURT. *Q.* You said you only saw two persons, and Harris was one; now you say only one? *A.* I was pressed by two persons, but I did not see two—the only person that I saw was Harris—I was frightened—I know him from his face and general appearance.

EDWARD NIMMO. I am a butcher, and live at No. 6, Union-street. I was standing by my counting-house, and looked out of the shop—I saw Harris walk deliberately up to this lady, and put his hand into her pocket behind, or cut it, and take out a brown purse, and swing it round—I ran out, and said, "Madam, you are robbed"—I ran, and took Harris in Bride-lane—Atkins was there—I cannot say what situation he was in—they tripped me up, and I fell with Atkins—there were several of them about.

Cross-examined. *Q.* You were the first person who gave information to this lady? *A.* Yes—I do not know whether I knocked Atkins down—I threw Harris down—I do not know that I knocked him down—there were not many persons about the lady except these—there were a great many people in my shop—there were other people at the back of my shop—I suppose he handed the purse away—the same persons were brought up at Guildhall—I did not cause them to be taken—a man named Crawley took them—I did not tell him to take any other one—I was very much confused.

(Jacob Moses, No. 6, King-street, Commercial-road, dealer in jewellery and watches, gave the prisoner Harris a good character.)

HARRIS*—GUILTY. Aged 18.
ATKINS—GUILTY. Aged 20.
} Transported for Ten Years.

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933. ROBERT WALKER was indicted for stealing, on the 6th of March, 29lbs. weight of cheese, value 1*l*. 5*s*., the goods of William Gootch.

WILLIAM GOOTCH. I live in Great Bath-street, Clerkenwell, and keep a cheesemonger's shop. This is my cheese.

JAMES WEST. I am shopman to the prosecutor. About half-past six o'clock in the evening of the 6th of March I missed a cheese from outside the shop—I heard it was lost—I went to Cold-bath-square, and overtook the prisoner, with this cheese on him—this is the one I lost—(*looking at it.*)

JAMES SUMMERSELL. I was minding the shop, and saw the prisoner come past, with the cheese under his arm—I gave information, and pursued him—he had got it.

Prisoner's Defence. A man asked me to carry this to the coach-rank, and said he would give me 6*d.*—I did not take it from the shop.

GUILTY. Aged 22.—Confined Three Months.

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934. JOHN CONNOR was indicted for stealing, on the 2nd of March, 1lb. weight of tobacco, value 6*s.*, the goods of David Barlin and another, his masters.

DAVID BARLIN. I am in partnership with another person as tobacconist. The prisoner was a servant in our employ—on the 2nd of March Sherwood called me down, and said, in the prisoner's hearing, that he had been robbing me—I said, "Send for a policeman"—Sherwood produced the tobacco which he had taken from the prisoner's stocking—the prisoner said, "I hope you will forgive me"—I gave him into custody.

JAMES SHERWOOD. I am in the employ of the prosecutor. I received information, and called the prisoner into the drying-room—I said I had received very disagreeable information, that he had got some tobacco about him, would he produce it, or should I send for a policeman—he then, after some time, pulled up the legs of his trowsers, and produced this tobacco.

JOHN DONELLY. I saw the prisoner take this tobacco out of a bag on the ground—(*looking at it.*)

(The prisoner put in a petition for a lenient sentence.)

GUILTY. Aged 22.—Confined Six Months.

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935. ANN PATTERSON was indicted for stealing, on the 1st of March, 1 spoon, value 10*s.*, the goods of the Right Honourable Anne Countess Waldegrave, her mistress.

WILLIAM BENHAM TOMKINSON. I am a pawnbroker, in Upper George-street. On the evening of the 1st of March the prisoner brought a spoon, and asked me to take it in to redeem some other property—I asked whose it was—she said her own—she then said the housekeeper gave it her because she could not pay her wages, and then she said she had taken it—I gave her into custody—at the station-house she said she worked at Lady Waldegrave's, and she had taken this from the kitchen, and wished to return it.

BENJAMIN NELSON and JOHN HUNT being called on their recognizance, did not answer.

NOT GUILTY.

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936. ELIZA M'INTYRE was indicted for stealing, on the 3rd of

March, 1 watch, value 12*l.*; and 1 guard-chain, value 6*l.*; the goods of John Crowe, from his person.

JOHN CROWE. I am a builder, and live in Manchester-street, Grosvenor-square. About three or four o'clock, on the morning of the 3rd of March, I was coming home—I had been out with a party of friends, and in Oxford-street I was met by the prisoner, who asked me to accompany her to a house; and when we had been there ten minutes she suddenly left the room, which excited my suspicion, and I called to the people down stairs to stop her, which they did—I ran down, and accused her of stealing my watch—she said she had not got it—I asked her three times, and said I would not press the charge against her if she gave it me—she still denied it—the policeman was called in, and while he was searching her the watch and chain fell down, and was found at her feet—this is it—(*looking at it.*)

Prisoner. There were several other people in the passage, and there had been two other women in the room as well as myself. *Witness.* There was no one but her in the room—no one could have dropped the watch but her, and two other young women said she had better give the watch to the gentleman.

Prisoner. He was very tipsy—there were six in the passage—the door was never locked—he gave 1*s.* for the room, and he had no money to give me, that was the reason I left the room. *Witness.* I had 5*l.* or 6*l.* in my pocket—I would have given her some, but she ran away—the watch was in my waistcoat pocket—I had not undressed myself.

JAMES WARD (*police-constable C* 172.) I was called in—the prosecutor, the prisoner, the woman of the house, and the servant, were all in the passage—the prosecutor charged the prisoner with stealing the watch—she denied it—in searching her, the watch dropped from some part of her person—the prosecutor had been drinking.

GUILTY. Aged 26.—Confined One Year.

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937. ELIZA WILLIAMS and MARY WILLIAMS were indicted for stealing, on the 2nd of March, 2 shawls, value 8*s.*, the goods of Michael Mendoza.

ANN MENDOZA. I live at No. 7, Rosemary-lane, and am the wife of Michael Mendoza. On the 2nd of March the two prisoners came to my house for two bonnets which they had left a deposit on—they had dealt there some time—I put ten shawls on the counter, and when they turned out of the shop there were but eight—I sent my girl after them, and they were brought back, but I have not seen the shawls since—I am sure I had ten shawls—we placed ten on purpose, as we suspected them—I placed a girl to watch them.

Eliza Williams. If we had been bad characters why did she send the shopwoman to ask us what we wanted—she brought the bonnets down stairs, and gave one to each of us, and tied them in a handkerchief, and then untied them again—on the Wednesday we went with my mother, and my mother bought a gown, and the shopwoman at the next door came in to have some things, and took three gowns out. *Witness.* No, she did not.

BRIDGET DELOREY. I live with the prosecutor. I remember the prisoners coming in—I was watching them—I went inside the parlour

door, and saw the two shawls hanging by the side of the counter, the prisoners were buying a baby's frock, and they were bargaining there—Eliza Williams took the two shawls and slipped them under her shawl, and Mary was talking to my mistress, and buying a frock at the time—I told my mistress, "They have taken two shawls"—I am quite sure I saw Eliza take the shawls, and then she went to my mistress and took the two bonnets—they then went out—my mistress told me not to tell her till they got to the door.

MARY LEE. I am an apprentice of the prosecutrix's. She called me down, and placed me behind the gowns on the chair—she showed one of the prisoners a frock, and while she was doing that Eliza took two shawls—they went out of the shop after they had looked at a boa—I did not give information before they went out, as they ran away as fast as they could—we ran after them—I saw her give the shawls to a man, and the man ran away, that I swear—I saw them both go out of the same door—the shawls were lying on the counter, close by the parlour door, with the other shawls—there is one shop door and one parlour door—I saw Eliza take the shawls while mistress was showing Mary a gown—they were close by the street door—Eliza was up by the parlour door—there were no people of the house there—Eliza went out first with the shawls—Mary was going after her—I was behind the gowns—I cried out the moment they went out, and when they went out they ran away—there is only one street door—they ran to the Rosemary Branch—there was a man there—I hallooed out, but he ran away as fast as he could—Martha Jacobs, the shop girl, was with me—they came back with us when we cried "Stop thief!"

BRIDGET DELOREY *re-examined.* They walked out one at one door, the other at the other.

Mary Williams. There were two more women in the shop, that we left there—we came out of one door, and there was a door on the left—this girl was tutored at the office by the prosecutrix—there was no cry of "Stop thief"—when this girl had the book put to her she said, if she swore false she would not go to God.

MARY LEE *re-examined.* I have told the truth, and the whole truth—I told the same to the Magistrate—I told him that I lost sight of them for a minute—when I ran through the Rosemary Branch I saw them again.

MARTHA JACOBS. I am the shopwoman to the prosecutor. I was present when Mrs. Mendoza put down the shawls—she put down ten—the prisoners came in to redeem two bonnets, on which they had left 2s.—I was called to go and fetch them—I could not find them then—they were looking at several other things—Eliza Williams took up two shawls—one was a blue shawl—they were by the parlour door, on the counter—they were not alone—there were ten separated in different parts of the place, three or four in one part, and three or four in another—they were all separated—there might have been four with these, I cannot say—I was told to watch at the door when they came in—a lady came in, and asked for a morning dress—I took the lady into the parlour, and my mistress called out they were gone—I hastened after them, and found them in Little Prescott-street—they were standing, and I asked what the man was doing, and they said, "He pushed up against us, and spoiled the two bonnets"—he was a short man, in a blue coat—he walked off, and they made very cross remarks, and said, "We have nothing on us"—they had dealt at the shop fifteen months.

MORRIS ASHER. About four o'clock in the afternoon in question I

was coming through Little Prescott-street, and saw the two prisoners give something to a man—the witness came up, I turned round, and the man was gone—I heard one of them say, "Come back, we have nothing on us."

Eliza Williams. There was no man near us. *Witness.* Yes, there was—you gave something to a man—what it was I cannot say.

CORNELIUS O'DONOGHUE (*police-constable H* 180.) I took them, but found nothing on them.

Eliza Williams. We never saw the shawls at all. NOT GUILTY.

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938. WILLIAM READ was indicted for stealing, on the 31st of March, 1 handkerchief, value 2*s.* 6*d.*, the goods of Cornelius Carter, from his person.

CORNELIUS CARTER. I am a chemist. About half-past ten o'clock on Saturday morning, I was looking into a shop window in Gracechurch-street, and saw, by reflection in the window, my handkerchief in the prisoner's hand—I turned, and he ran off—I followed him—he went up a court and dropped my handkerchief—I took it up, but still followed, and took him.

Prisoner. I picked it up at his feet. *Witness.* It could not have fallen—it was in the inside pocket of a dress-coat—when I took the prisoner, he begged of me to forgive him.

GUILTY.* Aged 23.—Transported for Ten Years.

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939. WILLIAM ANDERSON was indicted for stealing, on the 8th of March, 1lb. 12oz. weight of brass, value 1*s.*; 1 hammer head, value 1*s.*; and 1 saw, value 6*d.*; the goods of David Magson, his master.

DAVID MAGSON. I live at No. 60, Leather-lane, and am an engineer. I employed the prisoner as a carpenter, to remove my goods from Fleet-street to Leather-lane on the 8th of March—he was going out—in consequence of some suspicion, I asked him to go and drink with me, and when he went from the public-house, I thought he looked very bulky and I followed him—I gave him into custody—the property was found in the privy—he gave me the hammer head in the street—I saw the brass in the shop that day—it was safe about breakfast time—it was found about one o'clock at the Robin Hood, in Leather-lane—the next door to where I have a factory—there was no occasion for him to take it—these things are mine—(*looking at them.*)

JONATHAN DAVID MAGSON. My father sent me for a policeman—I went into the privy, and found these things—the prisoner appeared sober—I had seen the saw in the shop that morning.

Prisoner. These things were brought and left in the street all night and there were other men working.

DAVID MAGOON *re-examined.* I had a great deal of property in the yard, and some van loads were left outside, but I know this piece of brass was seen in the shop that morning.

Prisoner. His things were brought from his other place, and were left in the mews all night—he was so drunk that the Magistrate would not hear him. *Witness.* I was an hour with him, and had a glass with him, because I was in hopes he would disgorge what he had.

Prisoner's Defence. I was searched and nothing was on me, and my house was searched and nothing was found—there were half-a-dozen working in the place as well as me.

NOT GUILTY.

OLD COURT.—*Wednesday, April 4th,* 1838.

Third Jury, before Mr. Sergeant Arabin.

940. ATTILIUS SALVADOR was indicted for stealing, on the 10th of February, 12 forks, value 10*l.*, the goods of Edwin Pearson, Knt., in the dwelling-house of William Biggs; the prisoner was also indicted for embezzlement; to both of which he pleaded

GUILTY. Aged .—Transported for Seven Years.

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941. GEORGE TAYLOR was indicted for bigamy.

MR. CLARKSON *conducted the Prosecution.*

JAMES YULE. I knew Rose Hammerton—I only saw her once previous to her marriage—she married the prisoner—I was a witness to the marriage—it was on the 30th of August, 1834, at Trinity church, Marylebone.

Cross-examined by MR. DOANE. *Q.* Did you see them together after they were married? *A.* Never—I did not know of their separating.

JOHN WOOD. I am a shoemaker, and live in Regent-street. I know Rose Hammerton—I saw her this morning—she is in Court now.

ELIZABETH MARY GRINSLADE. I live in Kepple-street, Borough. I was married to the prisoner on the 6th of February, this year, at St. Andrew's, Holborn—I was aware that he had been married before—I knew that his wife was alive—I was a servant, and had no property—I first became acquainted with him in August, 1836, but after that he went to France for some months—I preferred this charge against him before the Magistrate—I did not tell the Magistrate that I knew him to be married—the Magistrate did not ask me.

JOHN GEARING (*police-constable G* 130.) I took the prisoner into custody, in the parish of St. James, Clerkenwell.

GUILTY. Aged 30.—Confined Six Months.

Before Lord Chief Baron Abinger.

942. MARIA ANDREWS was indicted for feloniously uttering a false, forged, and counterfeit order for payment of 350*l.*, with intent to defraud William George Prescott, and others, well knowing the same to be forged, and WILLIAM PHILLIPS was indicted as an accessary before the fact.

MESSRS. BODKIN *and* DOANE *conducted the Prosecution.*

FRANCIS BORTON. I am clerk and cashier in the banking-house of William George Prescott, Grote, and Co.; there are more than one other partner. On the 21st of February, 1837, this cheque was produced to me, about eleven o'clock in the morning—I believe it was the female prisoner who presented it—I speak from a recollection of her person—Mr. Pearson saw her—I believed it not to be the writing of the drawer—I believed it not to be a genuine cheque—I showed it to the adjoining cashier, and then referred to our signature book, but, that being rather new, it had not the signature in it—I then referred to the pass book of the society, but that is not here—I then took it to a senior clerk, and showed it to him, and then showed it to Mr. Prescott, and, after some hesitation, he gave me instructions to pay it—I paid it in notes, 350*l.*, to the person who brought it—previous to paying her, Mr. Prescott asked her if her name was Hall—she said no, she received it for Mrs. Hall—he questioned her as to the nature of the cheque, and then requested her to write her name and address on the back of it, which is here now—I suppose she was a quarter of an hour, or longer, in

e banking-house—at that time there was an account open for Charles ıne, Treasurer to the West New Jersey Society, by whom the cheque pur-ırts to be signed—I saw the female prisoner again in October, in Trafalgar-reet, and recognised her at once—I believed her to be the person.

Cross-examined by Mr. Clarkson. *Q.* You had seen nothing of her ɔm February to October? *A.* No—I do not positively say she is the ɔman.

Thomas Pearson. I am clerk to Prescott and Co. I was in attend-ıce at the counter on the 21st of February, last year—I remember this eque being presented for payment to Mr. Borton—my attention was called the person who paid it—I believe the female prisoner to be the person—ere was some hesitation about paying it, which induced me to pay more an ordinary attention to the person—she was a quarter of an hour or 'enty minutes under my view—when she left the banking-house after it ıs paid—I followed her into the street, my attention was attracted by :r being very much like a relation of mine—I saw her again in October, ıd was confirmed in my opinion that she was the same person—I think .e is the same person—I will not swear to her positively, but I believe :r to be the person—I saw her writing, but I was not very near her.

Cross-examined. *Q.* Do you see a great many people who present eques in a day? *A.* Yes—my attention was not called to the person for ght months.

Charles Lane. I am treasurer to the West New Jersey Society, and ıve been so some years. I did not write any cheque for £350 on Pres-ıtt on the 20th of February—I had an account there—this cheque is not y handwriting—when it was presented to my notice I came from Oxford-ıire, where I live—I found there was no such person as Mr. Hall, in ount-street, Grosvenor-square, which is endorsed on the cheque—I can ıve no hesitation in saying I did not draw this cheque—I draw but seven the course of the year.

William Whiteside. I am a solicitor, and live in Lincoln's Inn-fields. succeeded Mr. Lane in business—the business of the New Jersey Society as still continued in the office—the male prisoner was my clerk in February, 337—the cheque-book used for the Society was kept in an iron chest, in y room—the prisoner would have access to that room—there are very few ıeques drawn on account of the Society—I have not missed any blank ıeques from the Society's cheque-book—I keep a partnership account at rescott's, and have missed from my cheque-book several cheques, which ıve been cut from the end of the book—that book was usually locked up, ıt during the day was frequently in the drawer of the table at which I ıt, which drawer was open all day—the prisoner had the opportunity of :tting at the book, if he chose—he could have access to both cheque-books, ı the iron chest was also open—I have compared the cheque in question ith the remaining part of a cheque cut from the end of this partnership-ɔok, and it exactly corresponds with the lines through which it is cut—I ıtertain no doubt of its having been taken from that book—the prisoner as absent from the office the whole of the 20th of February, and part of ıe 21st, without my permission—I saw him in the office in the middle of ıe day on the 21st, not before one o'clock, and he was in liquor—he was ıscharged from my office in consequence of his absence, and left me on the ıllowing Saturday—I was not aware where he lived at the time.

Cross-examined by Mr. Phillips. *Q.* How many clerks had you? l. Three writing clerks and one managing clerk, but he is a solicitor himself

—there were three besides the prisoner—one of them has since left—the managing clerk and one of the others is still with me, and the other was at my office a few days ago.

WILLIAM HAYDON. I am a haberdasher, and live in Newington-causeway. I am owner of the house No. 99, Trafalgar-street, Walworth—the male prisoner came to me about the 8th or 9th of March, 1837, to take the house—he said his name was William Andrews—I did not see the female prisoner that day—I saw her about a fortnight afterwards in the house No. 99, living there with the male prisoner—I was in the habit of calling there weekly for the rent—I did not see the male prisoner when I called, but saw her—she mostly paid the rent—I never saw the male prisoner there, that I know of—the male prisoner did not say who the female prisoner was—I never saw him in her presence.

COURT. *Q.* When he took the house did he say what his family consisted of? *A.* He said his family was small—the rent was paid weekly up to January this year—the male prisoner has sometimes called at my house and paid it when I have not received it on the Monday, but I never saw him at the house.

NOT GUILTY.

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943. WILLIAM PHILLIPS was *again* indicted for feloniously forging an order for the payment of 310*l.*, with intent to defraud James Whatman Bosanquet and others; seven other counts varying the charge.

MESSRS. BODKIN *and* DOANE *conducted the Prosecution.*

JOHN FRYER. I am clerk in the banking-house of James Whatman Bosanquet, and Co.—there are three partners. On the 17th of January this cheque for 310*l.*, drawn by Kerslake and Co., was presented to me for payment—I do not know who presented it—the person first paid in a cheque for 284*l.* 10*s.*, on Dixon and Brook, to the credit of Kerslake and Co., and then presented this cheque, drawn by Kerslake and Co., for payment—I recollect the transaction, and am sure it was the same person—he never moved from the counter—I paid him the amount, 310*l*—there were but two persons at the counter at the time.

WILLIAM BELTON CREALOCK. I am a solicitor, in partnership with Mr. Karslake, and carry on business in Regent-street. The prisoner was in our employ as clerk from the 1st of January, 1832, down to the 15th of August, 1835—at that time we kept a cash account at Bosanquet's—I was in the habit of drawing cheques on account of office business, and sending them by clerks, and I was also in the habit of paying in drafts which I received on other banks—we generally paid in and presented drafts at the same time, if we had occasion, as we lived at some distance from the bankers—the prisoner would have the opportunity of knowing that practice—in July, 1835, I received a letter from Griffiths Jones, of Welsh Pool—I had before that spoken to the prisoner about his irregular attendance, and he said if he did not give satisfaction he had better go, and I said he had—I afterwards received this letter from Welsh Pool, to which I wrote an answer, and gave it to the prisoner to take a copy of by the machine—after making the copy he brought it to me himself—he had no authority from me to make a second copy—he never told me that he had done so—(*looking at two sheets of paper*)—these appear to be copies of the two first sheets of the same letter—they were no doubt made by the machine—the signature I use in drawing drafts on bankers correspond gene-

' with the signature I use in signing letters—(*looking at the cheque*)—
is certainly not my writing, nor my partner's—it is a very bad imita-
—I did not authorise that cheque to be drawn—the signature to this
y of the letter is my hand-writing—the signature to the cheque is cer-
ly like the signature to the copy of the letter, particularly in the K—
slake—it is seldom I make such a K, and the cheque and letter corres-
d in that particular—I never authorised this cheque on Dixon and
oks to be paid into Bosanquet's on my account—I believe the words
ne hundred and eighty" and the signature James Smith in that cheque
e the prisoner's hand-writing—they bear the strongest mark of his hand-
ing; but I should say all the cheque is his hand-writing decidedly—
vas three years and a half in our office, and I saw him write almost
y day—I believe the whole cheque to be his writing, but this portion
e strongly than the rest—the figures of the year 1838 on this 310*l.*
que I should say are his figures—it is an imitation of my own hand-
ing throughout—the character is not like the characters of the prisoner's
ing.

IENRY KARSLAKE. I am a partner of Mr. Crealock's. This cheque is
my hand-writing—I never authorised any body to draw it.

LICHARD MULLINS. I am clerk to Kerslake and Co., and have been
ather more than five years—the prisoner was there when I first went—
ave seen him write many times—I believe the whole of this cheque on
on and Co. to be his hand-writing, except the words "not known,"
ten in the corner—the figures 38, in the cheque in question, are like
prisoner's ordinary writing, and the 16 in the January—the rest is
imitation of Mr. Crealock's writing—I believe the figures I have
ied are the prisoner's hand-writing.

OURT. *Q.* Do your employers keep a cheque-book? *A.* Yes—it is
rinted cheque.

IATTHEW BAKER. I am clerk to Karslake and Co., and was so
n the prisoner was in their employ—I have frequently seen him write
art of this cheque on Dixon strongly bears the characters of the hand-
ing of the prisoner, and I believe, from the character, it is his hand-
ting—(*looking at the cheque*)—the 38 in the date of the year, and the
in the month, very strongly resemble his ordinary hand-writing—I be-
e it to be his hand-writing.

Cross-examined by MR. PHILLIPS. *Q.* Were you examined before the
gistrate? *A.* No—I believe the whole of the second cheque to be the
oner's—that is my belief of both cheques.

IR. BODKIN. *Q.* What is your belief of the 310*l.* one? *A.* That it is
hand-writing of the prisoner—I can see the character of his hand-writing
ough the whole of it—it is not his ordinary hand, but casting my eye
ugh it, from beginning to end, there is something in the character and
e of it, leading me to believe it is his.

OURT. *Q.* Does it appear a disguised hand, but written by a character
ch is familiar to you? *A.* Yes.

IR. CREALOCK *re-examined.* My cheque-book is usually kept in my
wer, and my partner kept a cheque-book in his room, which was not
ed up—the prisoner would not have had the least difficulty in possess-
himself of blank cheques, if so disposed.

OSIAH WATHEN. I am a solicitor, and live in Bedford-row. In the
r part of 1836, the prisoner applied for a situation in my office—he

showed me a letter written from Messrs. Karslake and Crealock, which I believe to be this—I have a strong recollection that there was a third sheet to it—I do not recollect whether there was a signature, but I apprehend there was, or I should not have taken notice of it—I read the letter.

JOHN ROE. I am a City officer. I was with Forrester when he apprehended the prisoner in Trafalgar-street, Walworth-road, on the 2nd of February—Forrester had got up to him before me—I got the papers produced at No. 1, Clifton-street, Wandsworth-road—nothing that the prisoner said took me there.

DANIEL FORRESTER. I am an officer. I accompanied Roe to Walworth—I saw the prisoner some distance down Trafalgar-street—I followed him, and stopped him when he turned two or three streets—I said, "Your name is Phillips, I believe"—he said, "No, it is not"—I said, "I think it is; if you will step back, here is a person I think will say so"—he denied it—I said, "What is your name?"—he did not give me his name at that time—I said, "The fact is, I believe your name is Phillips, and I shall arrest you"—on that he said, "You will be careful," and then said his name was Thompson—I told him it was for something that happened at Mr. Whiteside's—he then acknowledged his name was Phillips, and said the reason he had denied it was, that he was in difficulties—I went to No. 99, Trafalgar-street, and found some bills and things there—I afterwards went to No. 1, Clifton-street, Lark-hall-lane—the prisoner was not with me—I followed a person there—I found an elderly lady there—I searched the place, and found various papers—(*looking at the two papers*)—I recollect seeing them there, or papers like them—we brought all the papers away, and they were among them.

Cross-examined. *Q.* Were you examined before the Magistrate? *A.* Yes—I have not signed any deposition.

JOHN SANKEY. I am owner of the houses Nos. 1, 2, and 3, Clifton-street—the prisoner took the house, No. 1, on the 21st of May, 1836, and continued to occupy it till the 29th of January, 1838—he took the whole house.

Cross-examined. *Q.* Were you before the Magistrate? *A.* No—the prisoner paid his rent punctually at first, but I have had occasion to show him lenity about it.

MR. BODKIN. *Q.* Did he at any time pay your arrears? *A.* Yes; on the 29th of January he paid me the arrears—he owed, 6*l.* 4*s.*

MR. PHILLIPS. *Q.* Are you aware of his mother receiving a quarterly allowance? *A.* Yes—he generally paid me at the time of her allowance becoming due.

MR. BODKIN. *Q.* Was that the case in January? *A.* I believe she received it on the 10th.

(Mr. Waite, a barrister's clerk; Henry Worth, a solicitor's clerk; and Algernon Sidney Spark, a short-hand writer, deposed to the prisoner's good character.)

GUILTY. Aged 39.—Transported for Life.

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944. THOMAS JONES was indicted for a robbery on Elizabeth Rutt, on the 5th of March, assaulting her, and taking from her person, and against her will, 1 reticule, value 2*s.*; 1 handkerchief, value 3*s.*; 1 half-crown, 2 shillings, 1 sixpence, and 3 pence; her goods and monies; and feloniously striking and beating her immediately before, and after the robbery aforesaid.

ELIZABETH RUTT. On the 5th of March, at eleven o'clock in the forenoon, I walked from Clapton to Hackney, and was going up London-lane—there was nobody in the lane—I was forcibly stopped by somebody coming from behind a wall—he placed his hands on my shoulders, terrified me very much, and took my bag—I resisted for a few moments, but he eventually got it from me—he then stumbled and fell, which prevented his going off so briskly—a man came up, and secured him—the prisoner is the man, I am certain—my bag contained about 4*s.* 6*d.* in silver, a handkerchief, and some cards—he denied having the bag, but it was found on him—he hurt my hand with my resisting him—the string was round my two fingers, and he got it from me.

Cross-examined by MR. DOANE. *Q.* Are you married? *A.* No.

JAMES SMITH. I was going up London-lane, and saw the lady—I saw the prisoner come from behind a brick wall—he caught her by the shoulders and took her reticule out of her hand—I stopped him and took him to the station—it was at eleven o'clock in the morning.

(John Saunders, of Crabtree-row; William Faber, of Bethnal-green; James Goodchild, Mount-street, Bethnal-green; Henry Carfield, Friar's Mount; and Charles Jackson, deposed to the prisoner's good character.)

GUILTY of robbery, but not with violence. Aged 20.

Transported for Ten Years.

Before Lord Chief Baron Abinger.

945. THOMAS JONES was indicted for feloniously breaking and entering the dwelling-house of William Hamper, on the 3rd of March, and stealing therein 11 scarfs, value 1*l.* 8*s.*, his goods.

WILLIAM HAMPER, Jun. On the night of the 3rd of March, about half-past eight o'clock, I was in my father's shop and heard the glass break—I ran out and found a pane of glass broken—I saw the prisoner running—I followed, and he was stopped by the policeman, with eleven of my father's scarfs in his possession—my father's name is William.

Prisoner. *Q.* How far was I from the shop when you came out? *A.* Twice the distance of the Court—he was taken exactly opposite the Rev. Mr. Cotton's house, at the end of Newgate.

JAMES STANTON. On the 3rd of March I was going down Newgate-street, and heard a desperate smash of a window—I turned to the right and saw the prisoner going down the middle of the road, between the carts—I ran and collared him, and took these eleven scarfs from him.

Prisoner's Defence. I heard a cry of "Stop thief," and a window break—I took up the scarfs when the persons had run, and seeing the policeman come across the road I gave him the scarfs—I was not running—the policeman tells you he heard the window broken, but he did not see me break it.

JAMES STANTON *re-examined.* I saw the scarfs in his hand when I saw him running.

WILLIAM HAMPER *re-examined.* On my coming out the mob said, "That is the man," and I saw the prisoner running.

GUILTY.* Aged .—Confined One Year.

Before Lord Chief Baron Abinger.

946. EDWARD EDWARDS was indicted for stealing, on the 13th of December, at St. Marylebone, 1 bag, value 1*d.*; and 15 £5 promissory notes, the goods and property of John Bloomfield, in the dwelling-house of Nathaniel Tarr.

JOHN BLOOMFIELD. On the 13th of December, 1836, I was in London—and near one of the bridges a man came across the road, and asked me how beasts sold at Smithfield the day before—it was the show at Smithfield the day before—I told him I did not know, for I had not any to sell—(this was not the prisoner)—he said, "I had, but they were sold badly"—he then said, "Do you know much about London?"—I said, "No, not a great deal; I know enough to find where I want to go"—he said, "I never was in London but once before in my life; if you have no objection, I should like to walk with you"—we walked together, till we came to the top of the Haymarket, and near the corner house, called the Black Horse, he said, "Would you like to take a draught of ale?"—this was between eleven and twelve o'clock in the morning—we went in and had a pint of ale, and the prisoner then came in—he passed us, went round the table, threw himself back, and threw his umbrella on the table—he was dressed in black—I got up, and said, "We are going"—he said, "Oh, gentlemen, I wish you only had the good luck as I have had"—the other man said, "Oh, how is that"—the prisoner said, "Oh, I have done them! I have done them! I have done them!"—the other man said, "What do you mean by doing them?"—"Oh," he said, "look here"—he put his hand into his pocket, and pulled out what appeared a handful of notes, and sovereigns mixed with them—he said, "Look here; I have done them"—the other man gave me a *jog* of the arm, and said he never saw such a fool in his life, to show his notes—I said, "Well, I am going"—he said, "Oh, let us have his story out"—the prisoner had called for some ale—the other man said, "Don't be in a hurry; how did you do them?"—the prisoner said, "I wish every body was as lucky as I am now; I lived with an uncle and a brother, and they treated me very ill; I left them, and lived some distance from them; after some time I came back, and found my uncle was dead; there was an old woman, named Betty Meachan, and she said, 'Oh Teddy, then, you are back again, why don't you go and take the farm your brother is in?' I said, 'I have no business with it;' she said, 'Yes, it belongs to you;' I said, 'I don't think that;' she said, 'Give me 50*l.*, and I will tell you how you can get it;' I went to the lawyer's, and had an agreement drawn up that I would give her 50*l.* if I got the property; the old woman then told the story how I was to have it, and I said, 'How can that be, when my brother is older than I am?' she said, 'Never mind, your brother was born out of wedlock, and you will gain the property'"—we then came out—the prisoner followed, but before that the man said, "Ayn't there a place called Gardens worth seeing?"—I said, "I suppose you mean the Zoological Gardens, Regent's Park"—we agreed to go there—I had occasion to call in Old Bond-street, and left my great coat and an umbrella there—I told the gentleman there that two friends were going with me to the Gardens, and I should not be home till night time—I considered them both friends—the prisoner had joined us before I got to Old Bond-street—we walked together, and said very little—when we came to the Regent's Arms, York Terrace, the man I first met proposed to go and have something to drink, and we all went in together—refreshment was called for—I said, "I do not think we can go in without a ticket"—I went to the bar, and asked for one, and they gave me a ticket to go in—we sat, chatting, nearly an hour, in the tap-room—at last the prisoner showed his notes again—the other one said, "I suppose he thinks nobody has got money but himself"—he pulled out a pocket-book, and said, "I have got two

£10 notes as well as him; I am not without money"—he said, how careful we ought to be for fear of being robbed about London, and he thought it a good way to mark the notes for fear of being robbed, if we had got any—the prisoner said, "Oh, is that right? well, we had better have them marked"—they accordingly went and got pen and ink brought into the parlour—I had my notes all doubled up close in a little bag inside my shirt next my skin—I pulled them out and a little book to take down the numbers—I had them down by the side of me, and got ready to pull them out, but the prisoner jumped up and stamped on the floor, and said, "Shoot, shoot! if you want to shoot, I have got guns enough at home: I have two or three"—I looked sharp at him—he seemed crazy, and in the meantime while I was looking, my notes were taken by one of them, and the prisoner went out and the other followed him—I went to take up my notes, but instead of them there was a piece of paper doubled up much about the size of my notes—I saw what was the matter, and ran out directly—the Regent's Arms is nearly a corner house—I asked a man if he had seen any body run out—he said a man in top boots had run across into the New-road as hard as he could run—I could see nothing of him, and thought it best to go down to the Bank, where the notes were payable—I told them what had happened, and asked their advice—they said they would stop them, but I did not know the numbers of the notes—I had drawn them from the bank at Hadley, and they took the numbers down—I went to Marylebone office and told them—they wrote a letter and sent to Suffolk to the bankers to know the numbers—I went about for two days to look for the men, but could not find them—I described the men to the landlord of the house, and a short time ago I had a letter to say the prisoner was in custody—I came to town and saw him at Bow-street office, and am sure he is the same person—I will swear to him—if he did not take my notes, he assisted in taking them—he is the man that said, "Shoot, shoot"—I had 75*l.* in £5 notes, and I lost them all.

Cross-examined by Mr. Payne. *Q.* You have never seen your notes since? *A.* No—this was in 1836—I had enough to make me sure of the man by losing the money—I have not seen the farming man in top boots since—I am a farmer, and live at Monk Seeley, in Suffolk.

Q. When did you give any intimation that you had money? *A.* In the Regent's park—I said nothing about it before—the prisoner went out of the house first—I know him by the look of him—I swear positively he is the man.

Nathaniel Tarr. I keep the Regent's Arms, York-terrace. On the 13th of December, I recollect the prosecutor and two men coming into the house—it happened to be my birth-day—they went into the parlour and called for refreshment, which was served them, and in a few minutes after the prosecutor came to the bar and asked for a ticket of admission to the Zoological Gardens, which my daughter-in-law gave him—he took it, and Mrs. Tarr said, "You are very late to-day"—they staid for an hour, and then the two men deliberately walked out of the parlour, and along the passage—one stood at the door with a pipe in his mouth till the other came up to him, but he never turned his face to enable me to identify his features—immediately after the prosecutor came to the bar and said he was robbed of his money, and said, "Which way did he go"—we ran out, but they had made their escape—I had not any opportunity of seeing the prisoner to say whether he was the man.

GUILTY of larceny only.—Aged 50.

First Jury, before Lord Chief Baron Abinger.

947. EDWARD EDWARDS was *again* indicted for stealing, on the 20th of February, 10 sovereigns, and 1 half-sovereign, the monies of Erasmus Pilling, in the dwelling-house of Edward Smith.

ERASMUS PILLING. I met with the prisoner on the 20th of February, at the Saracen's Head, Snowhill—I had come by coach the day before from Yorkshire—I had been out to seek for a lodging, and had come to the Saracen's Head—the prisoner followed me in in the course of about two minutes—I was reading the paper—a young woman was there, who was going to Brignal, Yorkshire, and she was conversing with the guard of the coach she was going with—I said I knew Brignal perfectly well—the prisoner said, "Yes, and I know it perfectly well, I have been there often"—I said, "Indeed! I was not aware I had one of my own countrymen so near me"—he said, "Yes, I am a Yorkshireman"—we got into conversation, and conversed about half an hour—at last he said, would I have a walk—I said I had no objection—I went out with him, down Newcastle-street and Farringdon-street, till we came near the Fleet Prison—he then said, "What do you say to a glass of ale?"—I said I had no objection—we crossed the street, and went into a public-house on the contrary side of the street, and had a pint of half-and-half, which I paid for—in the course of a few minutes, an old gentleman came in, with a drab top-coat on, and a stick; and he said, in the course of conversation, that he had been having a trial with a brother in town here, and he had won the day—he pulled out a lot of notes—as near as I could judge I took them to be about 200 £10 notes—I said to him, "Sir, you will excuse the liberty I am about to take, but I should advise you to keep your money rather more secret, and not hand it out in public company"—he said, "I am not at all afraid, it is my own; it is what I earned at the trial, and I have a right to it"—I said nothing against that, but I said, "You are not, perhaps, aware what kind of company you may be in"—he said, oh, he was not at all afraid—I said, "I have no occasion, if you have not"—he said he thought he had met with two friends, would we partake of a glass along with him—I said I had no objection, but he must ask the one on my right, the prisoner, who was a perfect stranger to me—I never saw him before in my life—he said, "Well, what you think proper"—accordingly I said, "Well, I have no objection; if you think proper, I will have a glass of whiskey and water," which we all three partook of—in the course of a short time the other man said again, "Well, I am so glad I have met with two friends"—I said, "You don't know whether they will be friends or not, probably"—"Well," he said, "you appear to be friends, you guarded me against being robbed"—I said, "Yes, I should always wish to do that, because I have heard speak of robberies in London, though I never was here before, but for a day or two"—he then said, would we go along with him to the Zoological Gardens—I said yes, I did not mind, I should much like to see them—he said he had got a ticket in his pocket, which would admit as many as he thought proper to take—he took it out, and it was half torn in two—he said, "I should much like to see them myself, and if you think proper to go with me I shall be most happy," or some such language—we conversed about something else, I cannot exactly say what just now—he repeated the terms over again that he had met with two friends, and he was so exceedingly glad, and he would treat us to the theatre—nothing had passed about my money then—he had handed his out, but said nothing about mine

—when he said he would treat us to the theatre, I said I did not wish to infringe on his property in that way; if he had got it easily, we would pay each for ourselves—he would not hear of anything of the kind, but would treat us—it was fixed that we should go the day after to the theatre—he then said he should like to have a walk, and we went through Farringdon-market, and from one street to another—being a stranger, I did not take particular notice of the names of the streets—we went from one street to another, and so on, till we came to Water-lane—the prisoner went into several houses there, to see, as he said, if there was a fire in the parlour—he came out of several of them again, and said there was no fire—at last, he went into a house, and came out, saying, "There is no fire here, but the landlord will put one in if we go"—accordingly we went in—he then asked if we had any objection to go without a fire—I said, "Not the least"—he asked the old gentleman, and he said he had not the least objection—he went to the counter, and said he would treat us again—we had another glass of whiskey each, which was brought in to us—while the man was lighting the fire, the old gentleman said, "I don't much like whiskey, I will have a glass of gin-and-water," which he had, and paid for the whole of the three—in the course of a few minutes he pulled out his notes again—I again cautioned him about it—he said, "Well, I will take your advice; I will have them placed in my fob, or some secure pocket"—I said, "Yes, do so"—he said, "Have you got any paper in your pocket?"—I said, "I don't know"—I began to feel, when the prisoner brought out a piece of brown paper, and gave it to the old gentleman—he wrapped up the notes, and asked me if I would place them in his fob—I said, "Yes, with pleasure," and I did so—in the course of a few minutes, he said, "Well, as you are a stranger as well as myself, I should advise you to have yours placed in a secure pocket"—accordingly, I pulled out my purse, and placed ten sovereigns and a half on the table—the prisoner placed his hand on them, placed them out, and said, "There is ten sovereigns and a half, I think"—I said, "Yes, I am aware of it"—he said he would wrap them up for me, and place them in my pocket—I thought he was doing so—I stood up, and pulled up my waistcoat, for him to place them into my fob, as I thought, and sat down again—in the course of a minute or two, the old man said he must go to the door—he went out, and the prisoner said, "Well, I don't know what our old friend is doing; I will go and see, and bring him back"—accordingly he went, and staid a few minutes—I thought to myself, it was time I should see what they were both doing—I went out, but could see neither of them—I again returned, went into the parlour, and thought to myself, I will see what I have got in my fob now—I put my finger into my fob, and brought out this piece of paper, and looking into it, found five farthings and two halfpence, in place of my ten sovereigns and a half.

Cross-examined by Mr. Payne. *Q.* Are you quite sure about the prisoner putting his hand upon the sovereigns? *A.* I am confident of it—it was not the old gentleman—I can perceive the difference between an old man and a young one—being a countryman, and advising the old man to wrap up his money, I thought it was proper to take the same advice myself—I have never seen my sovereigns since—I am confident they were sovereigns that I laid down on the table—I had not shown them to any one before—I saw the female at the Saracen's Head—she was a servant—I had never seen her before in my life.

JOHN KIRKMAN. I am a policeman. I apprehended the prisoner on the 28th of February, on the charge of robbing the prosecutor, from a description given of him, and having seen the man before—I followed him from the theatre, which was breaking up, to a public-house in Bow-street, where I took him into custody—I found three *flash* notes upon him.

GEORGE CARTER. I am a waiter at the Saracen's Head. I remember the prosecutor coming there on the 19th of February, by the York coach—he slept at our house, and went out next morning—he came in again, and the prisoner followed him in—I had seen the prisoner before, but did not know him—he had merely come in and looked round, as many people do, to see if persons have come by coach, and I thought he did so—when he followed the prosecutor in he asked for a glass of ale, and had the chill taken off—he sat down, and joined in conversation with the prosecutor about Yorkshire, but what they said I do not know—they went out together—about two o'clock the prosecutor returned, and said this man had robbed him.

Cross-examined. Q. Am I to understand you to swear that you had seen the prisoner come in and look about him, in your tap-room, before the day the prosecutor was there, or since? *A.* Before—I did not take particular notice of the time, because I did not take particular notice of the man—I am sure it was before, and not after the prosecutor was there.

GUILTY of larceny only.—Transported for Seven Years.

Fourth Jury, before Mr. Recorder.

948. JAMES SMITH was indicted for feloniously assaulting John Thomas Noble, on the 27th of March, and unlawfully and maliciously cutting and wounding him on his head, with intent to maim and disable him, or to do him some grievous bodily harm.

MR. JONES *conducted the Prosecution.*

JOHN THOMAS NOBLE. I live at Stepney-green. My father is possessed of some houses in Lincoln-court, Drury-lane—I collect the rents for him—about a week before Christmas the prisoner applied to me to take a room—I agreed to let it him if he would give me a deposit, which he declined, and I locked the room again, and said he should not have it—about a fortnight afterwards I went to the house again, and found him in possession of a room on the other side of the court—I asked how he came there—he said he did not know—I said I would not let it him without a deposit—he said, "I considered my goods would be a sufficient deposit"—I said, "That will not do; I did not let it to you, and here you shall not remain," and I would fetch a policeman, but as he said his wife was lately confined, I thought I would let it be for a week or two—I did not molest him—he remained there, and never paid me any rent—on my going there on the 27th of March, I asked if he intended to remove, or to hold possession in defiance of me—he said he would go when it suited him—I said, "Will it suit you in a week, fortnight, a month, or two months?"—he repeated, that he would go when it suited him—I then told him he should go before, for depend upon it he should not remain there—I had not made any motion to remove him—he rose up and seized me by the breast of my waistcoat with both hands, which he tore, forced me over a chair, threw me on the ground, and endeavoured to beat me, but I defended myself, so that he could not do me any material injury—he struck at me, but I defended myself as I lay on my back, and he did not hurt me seriously—I

could not get up—he held me down, and was over me—he then called to his wife for the poker, and, as she did not give it him, he extricated himself from me, and reached it before I could rise—when I raised my head about two feet from the floor, he struck me in the front of my head with the poker—it had a stunning effect, and having called for help, I saw a young man who was looking at the room—this confused the prisoner, and I was able to escape out of the room—a great quantity of blood came from my head—a policeman came, went up stairs, broke open the door, and took him—he had not got into the room with my father's consent or mine.

Q. Did you take any means by using your hands to remove him before you were struck? *A.* No; Mr. Smitch, a surgeon, attended me, and dressed my wound.

Prisoner. *Q.* Did not you come into my room and knock me off my seat? *A.* No, I did not—I showed him some rooms on the opposite side—I never showed him the room in question, nor saw him in it till I found him there—I might have sent him up to look at it, but I distinctly declined letting him a room without a deposit—I asked him if he would go in a week, a fortnight, a month, or two months; and if he had promised to leave then, I should have communicated with my father, and asked his advice.

Prisoner. The first week he came I owed him 18*d.*—he wanted to throw my wife and infant into the street, and brought a policeman up to have me turned out. *Witness.* I did so after having seen him there, but the policeman refused to act—I did not intend to turn him out, but to take the wife into custody to answer for being there—the policeman refused—I went to the station-house, and they refused assistance—I went to a Magistrate, and he said he was very sorry, but he had no power to interfere—I did not go near the prisoner for two or three months after.

Prisoner. He told me to look at the room, and take it if I gave him a deposit, and said he would give me a lock and key as soon as I had got my things in it. *Witness.* I never did—I did not apply for any rent when I found him there with his wife confined in it—he has said he would pay me, but I always said, "I will not have your rent, you came without my leave, and I will have you out"—he never produced any money—the rooms are generally locked, but at times a lock is broken, and he might have found it open.

Court. *Q.* If you sent him up to look at it and it was locked, how could he get there? *A.* If I did I must have given him the key, but I do not recollect sending him at all to look at it—I am quite sure I refused him as a tenant, on his not agreeing to make a deposit.

Charles Osborn. I live in Lincoln-court. The prisoner was living on the third floor back-room—I was living underneath on the second floor—on the 27th of March I heard a scuffle up above stairs—I ran up, and saw the prisoner and prosecutor scuffling together on the floor—the prosecutor was undermost—the prisoner forced himself away from the prosecutor, went on the other side of the room, brought something in his hand, and struck the prosecutor a violent blow on the head—the blood gushed out directly—I went down stairs to give an alarm, and the prisoner seeing me on the stairs, the prosecutor had time to get up and run down stairs—he sent for a policeman, who came and took the prisoner—I saw him strike the blow, but what it was with I cannot say—it had the appearance of something dark—I ran down stairs, and the prosecutor got up and ran out.

Prisoner. This is a curious character—he is never in till three or four o'clock in the morning—why not go to Bow-street with the prosecutor? *Witness.* I did not know it was fit I should go till the gentleman came next day and asked me to go—I said I would, but did not wish to go without being asked—I was never in the House of Correction—sometimes I am out till eleven and sometimes till twelve o'clock—I was never taken up for picking pockets—my wife sells matches at times—I was never taken up on suspicion of stealing any thing—I did not tell your wife that I never saw or heard any thing of this.

WILLIAM CROSS. I am a policeman. I was called in on the 27th of March to take the prisoner—the door was fast—I requested him to open it—he said he would not—I said I was an officer—he said, "I don't care who you are, I will not open the door for you nor anybody"—I broke it open, and took him into custody—I found this poker in the room—it is an iron bolt—the prosecutor's face was covered with blood, which was falling from his face—I observed a wound in his head—I took the prisoner in about twenty minutes afterwards, before the Magistrate—there was no time to look for any witnesses—the prosecutor appeared seriously injured.

Prisoner. *Q.* Did you ever have the last witness in custody? *A.* Never—I never saw him to my knowledge.

CHARLES JAMES SMITCH. I am a surgeon to the police-force. I was called on to attend Noble, on the 27th of March—I found him with a deep lacerated wound in the scalp, about two inches in length, and it penetrated to the bone—it was on the forehead—considerable force must have been used to inflict such a wound—an instrument of this kind is very likely to have occasioned such a wound—the skin was broken—I did not consider that any danger was likely to arise—the bone underneath was not injured—that part of the head is exceedingly thick—a blow on the top of the head would be attended with much more serious consequences—I should think it was a single blow.

Prisoner's Defence. I asked him what he objected to me for—he said he would have me out, and knocked me off my seat—I had a knife in my hand, which I threw away—I got up, and he *shoved* me into my bed—I called out to him, "Noble, Noble, you will kill my child"—he said, "Take your child away, I don't care"—I then struck him, and he fell with his face against the corner of a box or broken chair, which he had broken himself in the scuffle.

MARY REARDON. I live in Lincoln-court—my husband is a bootmaker. I have known the prisoner going on for two years—he bore a very good character.

MR. JONES. *Q.* What number in Lincoln-court do you live at? *A.* No. 9, in the same room as the prisoner—I pass as his wife—I am not so—I was there on the 27th of March, when Mr. Noble came.

COURT. *Q.* Did the prisoner strike the prosecutor? *A.* No, not that I saw—the prosecutor struck him first—he received the blow on his head by falling over the box—they both fell into the bed on the floor together over the box, in the scuffle, and he got the wound by the edge of the box, as far as I can think—we had this iron in the room, but he never took it in his hand while the prosecutor was in the room, nor any other weapon.

MR. SMITCH *re-examined.* I think it very improbable for the wound to be produced by the edge of a box—it is far more probable to be produced by an instrument of this kind—I examined the wound very particularly.

GUILTY of an assault only.—Confined Two Years.

949. CALEB JACKSON BRISTOLL was indicted for stealing, on the 12th of February, 24 rings, value 14*l.*; 9 snaps, value 1*l.*; 1 neck-chain and locket, value 1*l.*; 1 work-box, value 1*l.* 10*s.*; 16 ear-rings, value 1*l.*; 1 pair of ear-rings, value 10*s.*; 24oz. weight of coral, value 9*l.*; 6 pencil-cases, value 3*l.*; 36 thimbles, value 2*l.*; 2 breast-pins, value 5*l.*; and 13 sovereigns; the goods and monies of Thomas Bristoll, in his dwelling-house; and burglariously breaking out of the same about the hour of two in the night of the same day.

THOMAS BRISTOLL. I am an engraver, and live in King William-street, West Strand. I occupy the whole house—my family consisted of my wife, two female children, and the prisoner—we occupied the drawing-rooms of the house, and slept in the front attic—the prisoner slept in the back attic—the partition between the two rooms is lath and plaster on both sides—on the night of the 12th of February I went to bed, after fastening the street door, and seeing all safe in the house, and also seeing that the prisoner was safe in his room—I had two bolts placed outside his door, to keep him in in the night, in consequence of his being addicted to thieving—in the morning I was awoke by the barking of a dog, and, fancying I heard somebody in the room, I got out of bed, and found my bed-room door opened, which I had fastened inside overnight—I then thought I heard somebody go down stairs, and on going down myself I heard one bolt after the other of the street door drawn back, and the door open—I went down as fast as I could, and found it wide open—I was in my shirt—I thought it was some stranger had got into the house—I shut the door, and went up stairs to discover whether any thing was missing—it was between five and six o'clock in the morning, and quite dark—I am certain it was before six o'clock—I got a light, and discovered a box, in which I used to keep some jewellery, had been broken open—that box was placed under my bed, and a great quantity of articles were taken away—I then discovered that I had lost from my trowsers pocket a purse, containing thirteen sovereigns and some silver—I called in a policeman, and called the prisoner's name, but got no answer—I withdrew the bolt of his door, which was still fastened, and tried to get in, but the bed had been removed from its place, so that the door would hardly open—I was obliged to push bed and door to get in—I then discovered his jacket, waistcoat, shoes, and cap, but he was gone—on looking behind the bed, in the corner where it usually stood, there were two holes, one sufficiently large to admit him through into my bed-room—I also found a saw, all over whitening, from the wall, and a loaded pistol on the table—on turning up his bed, between the bed and sacking I found a great many articles which had been taken from the box which was broken open—we then searched the inside of the bed, and found a quantity of coral beads, and some other articles—I gave information to the police—I missed a number of pencil-cases, four diamond rings, and some other things—I had seen the rings and pencil-cases safe about a week or ten days before—the box was all safe then, and the things all right in it—there was no way of getting from his room except through the window or the hole in the wall—there was no way of getting into my room except through the hole in the wall—I have not found any of the property—I saw nothing of the prisoner till he was apprehended at Liverpool—I saw him again last Saturday week—I do not know any of his acquaintances or friends.

Prisoner. There is a boy I know who came to me at a place where I went—he used to watch me to our place—at last he said he had no place to

sleep in, and would I let him in, as his father and mother had turned him out—I said I would give him a night's lodging; and in the night he was groping about the place—I asked what he was doing—he had a pistol in his hand, and said, "If you don't hold your noise I will blow your brains out"—he jumped on my breast, and said, "If you don't tell me where your father and mother keep their money I will blow your brains out"—I said I did not know, but he had received some money, and he generally carried it in his pocket; that I was as much in want of money as him, but never could get any, and the door was fastened, and I could not get in—he had some tools about him—he pulled them out, and pulled a great piece of mortar out—when my father went down stairs, he said, "Who is that?"—I said, "My father," and it was then he got up and said he would blow my brains out if I did not tell him—we made the hole that night, and got ready—we were watching all night to get ready—he asked me if my father had any jewellery—I told him where the box was—he broke it open, took the things, and put them into the bed—I was trembling like a leaf, and I dared not tell my father—the next night he came again, but I dared not tell my father—I let him in, and he took all the money away—he told me to come with him—I knew if I stopped at home I should get all the blame of it—I went to Liverpool with him—I was taken up by a policeman, and he ran away—he gave me four sovereigns, and a pair of pistols which he had with him, and said that would do well for my share—I was going to get bound for a ship there.

EMANUEL FELSTEAD (*police-constable F* 80.) On Tuesday morning, the 13th of February, I was called into the prosecutor's house, and found a variety of articles between the bed and bedstead in the attic, also some cases of jewellery, a loaded pistol on the table, and a saw—I have the articles here.

THOMAS POCOCK (*police-constable F* 38.) I took possession of these articles.

JOSEPH SHACKELL. I am an officer of Bow-street. On Thursday morning, the 22nd of March, I found the prisoner in the Bridewell, at Liverpool—he was delivered up to me on this charge—I informed him who I was, and that I was going to take him to London—he asked me whether his father intended to transport him—I said I did not know—he said he had been trying to get rid of him for the last four years, and now he had an opportunity of doing so—he said he had let a boy named Reynolds into the house two nights—that he concealed him the first night, then took him up stairs and concealed him under the bed—that the night before he stole the jewellery, and put it under the bed, and the night before the boy brought a skeleton key and auger—that they staid till his father came home in the morning, which was about one o'clock, and when they thought his father was asleep, they crept through the hole and picked his pocket of the sovereigns, and then the dog barking, awoke his father, and they had just time to escape from the house—that on the road to Birmingham they bought the pair of pistols which were found on him—he said Reynolds had brought the pistol to the bed-room, which was found there—I have made inquiry, but cannot find that there is such a boy as Reynolds—here are some necklaces, rings, neck-chains, work-box, and ear-rings of coral—the pencil-cases have not been found, nor the thimbles or money—he told me 4*l.* and some silver had been found on him when he was first apprehended, which was returned when he was discharged, and he had spent it before he was taken again.

THOMAS BRISTOLL *re-examined.* My house is in the parish of St. Martin's-in-the-Fields—we occupied the whole house then—I am sure it was not six o'clock when he went out—I did not hear the steps of any second person, nor were there any traces of a second person having been there—I do not know where my son could have procured the pistol—I generally fastened him in his room between half-past nine and ten o'clock—he was generally in his room an hour before the family went to bed—I went to bed before twelve o'clock, and Mrs. Bristoll went to bed nearly an hour before—I think whatever happened to the box must have been previous to either of us going to bed—his bed would conceal the aperture in the wall on his side and my bed would hide it in my room—the hole came underneath the bed—the wall is six or seven inches thick—I have one other son younger than him—I have every reason to believe a boy went down to Liverpool with him, but I am almost sure no second person was in my house—the prisoner has had great opportunities of education—he has been to school since he was an infant up to fourteen years old—he had been at home six months when this happened—I set him down to learn my business.

Prisoner. My father knows every night I came in, I was generally searched, and I was always in bad company. *Witness.* Sometimes he was searched, but it was very seldom—I did every thing I possibly could to keep him out of bad company—I was obliged when he was only nine years old to send him down to Yorkshire to keep him out of the streets, but when he came back he was quite as bad as before, and considerably more daring.

Prisoner. The dog would not bark at me, because I was always his friend. *Witness.* The dog frequently barked when I came up stairs late at night—I believe it would bark if anybody in the middle of the night opened a door.

(*Property produced and sworn to.*)

GUILTY.* Aged 16.—Transported for Life.

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950. GEORGE POULTNEY was indicted for burglariously breaking and entering the dwelling-house of Henry Peyton, about the hour of ten in the night of the 29th of March, at St. Nicholas Acons, with intent to steal, and stealing therein, 4 pairs of boots, value 2*l.*; and 9 pairs of shoes, value 5*l.*; the goods of the said Henry Peyton.

HENRY PEYTON. I live in King William-street, City, in the parish of St. Nicholas Acons. On Thursday night last, shortly before ten o'clock, (I am sure it was after nine o'clock,) I saw four pairs of boots and nine pairs of shoes packed in a bag, ready to be taken from the house—I occupy the whole house—I was not present at the time.

JOSEPH HENRY ELLIS. I am in the prosecutor's service. On Thursday evening, the 29th of March, I went out of the shop on a message, and returned about twenty minutes to ten o'clock—the shop was then shut up—I tried the door and it was fast, and I went on my way home—a short distance from my master's shop I met somebody, in consequence of which I turned back and passed the shop, and stopped talking to him for about a minute—I saw the prisoner at my master's door—I saw him stoop down to the lock, which you must stoop to undo, and use both hands at the same time—you cannot open it except you hold it, and use the key at the same time—he stooped as if he was opening the door—he opened it, and went in—I then ran to the door and rapped—I received no answer the first

time—I knocked a second time, and the prisoner opened the door to me—I immediately asked him if Mr. Peyton was at home—he said, no, he was not—I asked him where he was—he said, "Round the corner"—I asked him who he was, what was his business, and who had sent him—(I had a strong suspicion, because the night previous the house had been tried)—he said Mr. Peyton had sent him—I told him he must be wrong, and he must please to stop there till Mr. Peyton came and released him—he did not appear to know me—he said I need not alarm myself, that Mr. Peyton's young man had sent him as well—I then said to him, "I am his young man, and I am sure I have not sent you"—that caused him to be frightened—he made a rush forward—I had got hold of him by the coat—he struck me a violent blow on the head, and ran away—I followed him—I saw him put his right hand back, and pull something out of his pocket, which I thought to be a life preserver—he immediately struck me on the hat, above the head—he happened to hit the soft part of the hat, not the part next my head—I still followed him, and cried out "Stop thief"—a watchman ran off the pavement, and endeavoured to stop him in the middle of the road, and he knocked him down—another young man rushed forward directly and stopped him, and as soon as I saw him encountered with another, I rushed forward and helped to secure him, and he was given into custody—I afterwards returned to my master's shop, and found some shoes and cloth boots on the floor—some were packed in a bag lying on the floor—they were removed from their proper places of deposit in the shop—the bag did not belong to my master—there was a second bag lying close by it.

Cross-examined by MR. PAYNE. *Q.* How long before you came back and tried the door had you been in the shop yourself? *A.* I left it exactly at nine o'clock—I had no watch, but I heard the clock strike—I was about half a dozen yards from the door, speaking to my friend, when I saw the prisoner stooping down—there were people passing and repassing—I do not know that what he had was a life-preserver—it was not what is termed one, it is a different thing—it was picked up—the constable called it a *Jemmy*—this is it—(*looking at it*)—the boots and shoes were not on the floor when I left the shop—they were all in their proper places—I cannot say I noticed them particularly, but they were not on the floor—the door was open when I went out—the shop was not shut then—I left Mr. Peyton, jun., and Mr. Peyton, sen., in the shop—I tried the door when I came back, and went away after trying it—my friend was not with me when I tried the door—I remained with him about a minute—he was in a situation to see what I saw—the gas was alight in the shop, and it shone beautifully—the prisoner opened the door very quickly—he was stooping down to the key-hole to open it—he got in before me, but I was very near catching hold of his coat as he was going in.

JOHN GENESE. I met Ellis in King William-street—he called my attention to his master's house—I saw the prisoner go up to the house, and deliberately put the key into the shop-door, open it, and go in, and he shut the door immediately.

Cross-examined. *Q.* How far off were you? *A.* About four yards from the shop—Ellis turned round and looked in the same direction as me, and saw him just opening the door—I was talking to Ellis—we were going in a direction of the bridge, walking very slowly—from the manner he went in I thought he must belong to the place—his back was not to me—I saw his side face.

HENRY JOYCE. I was in King William-street, between nine and ten o'clock on Thursday night—I heard a cry of "Stop thief," and stopped the prisoner in consequence—he was running—a watchman came up and received him into custody—Ellis came up also.

Cross-examined. *Q.* Do you know Mr. Peyton's shop? *A.* Yes—I stopped him about fifty yards from there—I am sure I stopped the same person as the watchman took—I held him till Ellis came—he resisted very much.

JOSEPH CAFFYN. I am a butcher, and live in Bermondsey-street. I was passing by Mr. Peyton's shop—as I got up to the door I heard Ellis say to the prisoner, "You must stop here till Mr. Peyton comes to release you"—at that time he had hold of the prisoner by the coat—he rushed forward and struck Ellis on the side of the head with his fist, and ran off—I ran after him, calling "Stop thief," and he was stopped by a young man—the prisoner was inside the door when I first saw him—I saw him stopped by Joyce.

Cross-examined. *Q.* Did not you lose sight of him till you saw him stopped? *A.* No, I did not—I am sure it was the prisoner—I saw him just inside the shop door—he was stopped close to the railing of the banking-house.

JOSIAH EVANS. I am a street-keeper. The prisoner was brought to the watch-house in Candlewick Ward—I found in his pocket a key—I afterwards found this crow-bar in the railing near the door of Sanderson and Co., Bankers, in King William-street—I applied the key found on the prisoner to Mr. Peyton's shop door, and it opened it easily.

HENRY PEYTON *re-examined.* I had not sent the prisoner to my house—I never recollect seeing him before he was in custody.

Cross-examined. *Q.* Do you occupy the house? *A.* Yes—my father is the only person who sleeps there—the shop was closed about nine o'clock—he goes to the West-end generally, to my brother's, and returns about twelve o'clock—the house is left during that time—the boots and shoes are mine—they had been taken off the shelves and deposited in the bag—my father acts in the shop for me—he is not a partner—I pay him a weekly salary.

(Stephen Stiles, carpenter, Kingsland-road; William John Hagan, Edward-street, Kingsland-road; and Magdalen Scott, No. 1, Edward-street, Commercial-road; deposed to the prisoner's good character.)

GUILTY. Aged 28.—Transported for Ten Years.

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951. ROBERT LOFTHOUSE, THOMAS LEONARD, and ELIZABETH LEONARD were indicted for feloniously breaking and entering the warehouse of Caleb Pizzie, at St. Luke's, with intent to steal, and stealing therein, 960 sheets of wadding, value 10*l.*; 221lbs. weight of cotton, value 4*l.* 4*s.*; 4 bags, value 2*s.*; and 2 baskets, value 1*l.*; his goods.

CALEB PIZZIE. I keep a wadding and cotton warehouse at No. 32, Bunhill-row, St. Luke's. On the 23rd of February, about eight o'clock in the morning, I received information from one of my servants, and immediately went to the warehouse—I found the door forced open, and missed about seven gross of wadding, about 2cwt. of cotton, and two baskets, worth, together, 15*l.*—the baskets were found on the premises, but they were moved from their place.

WILLIAM HARDICK. I am in the employ of the prosecutor, at his ma-

knocking at the partition between the two cells, and heard the female prisoner call on *Bob* several times—Lofthouse answered, "Halloo," and she said, "Remember, you know nothing about the key, or the wadding" —he said, "Hold your tongue, you b——y fool, you know nothing about it either"—she said, "Old Pizzie says he has got all his wadding"—he said, "He is a b——y liar."

Elizabeth Leonard. I was talking to my brother John, not to Lofthouse —I said, "Pizzie says he has got his waddings," and he said, "There is several dozens of mine among them"—this policeman has come for his 2*s.* a day—I knew his brother among the "white boys," and he was nearly hung for murder.

Lofthouse. Is it likely among fifteen or sixteen he should know my voice?—there was no such thing mentioned—nobody spoke to any of the women.

Elizabeth Leonard. The waddings never could be moved by five or six men—I saw a policeman moving them at first, and he has been dismissed from the force since—I am well aware some of the police have been concerned in it—it could not have gone along all that distance without being seen by the police—I know nothing about it—I lost 11,000*l.* by waddings in seven years, and have had enough of them—I have lived fifteen years in the neighbourhood of Whitechapel—I have been in a madhouse, and what the policeman did not rob me of I lost, but the present policemen know nothing of me.

GEORGE HYATT *re-examined.* (*Looking at the baskets*)—These are the baskets I saw the prisoner, Thomas Leonard, with—he was not carrying them—they were down on the ground, close to the door.

CALEB PIZZIE *re-examined.* These are my baskets—they were left on my premises the following morning, and were very wet, and so were the papers inside, as if they had been out in the rain, and the cords were very wet.

SAMUEL PINKINS *re-examined.* The wadding was brought into my premises in baskets, such as these—I did not know what it was when it first came—I thought it was crockery—the porter, who was with them, carried the baskets away—they all three went away together, the first time, with the baskets, after emptying them; and then Lofthouse, and the female prisoner, came a second time, with the baskets again—Thomas Leonard was not with them then.

Lofthouse. He was ill in bed when I was there, and he did not see me at all. *Witness.* I opened the door and let you in, and then went to bed again.

Elizabeth Leonard. I lived in the neighbourhood and saw them with the baskets, and there was a policeman with them, who has since been dismissed from the force, and I could not conceive there was any thing wrong in it.

THOMAS SEAL *re-examined.* On the morning after the robbery, another brother of Lofthouse came to Mr. Pizzie's, and I had reason to conceive he was concerned in the robbery—I had reason to understand he was drinking with a policeman on the beat, and that policeman was dismissed.

(The prisoner Thomas Leonard received a good character.)

LOFTHOUSE*—GUILTY. Aged 24. } Transported
ELIZABETH LEONARD*—GUILTY. Aged 30. } for Ten Years.
THOMAS LEONARD—GUILTY. Aged 14.—Confined Six Months.

NEW COURT.—*Wednesday, April 4th*, 1838.

Sixth Jury, before Mr. Common Sergeant.

952. MARTHA JEFFREYS was indicted for stealing, on the 5th of March, 5 pencil-cases, value 11*s.*; 1 brush, value 6*d.*; 4 lead pencils, value 3*d.*; and 1 printed book, value 3*d.*; the goods of Edward Wallis, her master.

EDWARD WALLIS. I live in High-street, Islington, and am a jeweller. I lost these articles—the officer is not here with them.

(THOMAS HOBBS KING, police-serjeant, being called on his recognizance did not answer.) NOT GUILTY.

953. SAMUEL SIMONDS was indicted for stealing, on the 5th of March, 3 spoons, value 2*l.* 18*s.*; and 3 printed books, value 1*l.* 4*s.*; the goods of Jonas Levy, his master.

JONAS LEVY. I live in Prescott-street. The prisoner was my errand-boy about a month—he left me without notice on the 5th of March—I missed these articles the same afternoon.

SAMUEL MATTHEWS. I am a pawnbroker and live at Romford. The prisoner brought this gravy-spoon to my shop to pledge on Wednesday, the 7th of March—I asked what he wanted—he said as much as I chose to lend him—I said, "Where did you get it"—he said he bought it of a man in Houndsditch for 3*s.*—I detained him.

(*Property produced, and sworn to.*)

SAMUEL SOUTHEY. I am an officer. Matthews brought the prisoner and this spoon to me—I came to London, and found the books and one spoon at St. Giles's, and the other spoon at another place—the prisoner told me he had left them there.

GUILTY. Aged 15.—*Recommended to mercy.*—Confined Three Months.

954. WILLIAM REYNOLDS was indicted for stealing, on the 8th of March, 5 half-crowns, 11 shillings, and 11 sixpences; the monies of Richard Payne Hutchings, from the person of Martha Hutchings.

MARTHA HUTCHINGS. I am the wife of Richard Payne Hutchings, of Welbeck-street, Cavendish-square. On the 8th of March, at half-past five o'clock in the evening, I was with Mrs. Godfrey, in Coventry-street—a mob got round me—I felt something behind me—I put my hand down, and caught the prisoner's hand in my bag, which was on my arm—I had nearly 2*l.* in silver, loose in the bag—I caught hold of the prisoner, and said he had got my money—a man that was with him tried to take my attention from the prisoner, and wanted to turn me round—the prisoner got away from me—I followed, and caught sight of him again—I lost sight of him for about ten minutes—I found him next at St. James's station-house—I had 11*s.* remaining in the bag—11*s.* 6*d.* was picked up in the street, which the prisoner threw away—three half-crowns and 11*s.* were gone—I am sure he is the man.

Cross-examined by MR. PHILLIPS. *Q.* Can you tell how he was dressed? *A.* In a black coat, very brown from being worn very much—he had a hat on—I was frightened.

HANNAH GODFREY. I am the wife of John Godfrey, of Tottenham-court-road—I was with the prosecutrix—the prisoner took something from

her—I have not the least doubt it was him—I saw him at the station-house, and I am sure he is the person.

Cross-examined. *Q.* Were there many people about? *A.* There was a crowd.

JOSEPH DOWNES. I live in Oxford-street, and am a clock-maker. I was in Coventry-street, and saw the prosecutrix collar the prisoner—she said, "That man has got my money"—he ran—I followed him up Sherrard-street into Queen-street—he threw something out of his hand—I heard some money fall—I cried, "Stop thief," and he was taken by the policeman—I am quite sure he is the man.

Cross-examined. *Q.* Did he not deny it? *A.* He did—there might be twenty people in the crowd—she had him by the collar.

GUILTY. Aged 30.—Transported for Ten Years.

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955. JULIA SULLIVAN was indicted for stealing, on the 5th of March, 1 half-sovereign, 3 half-crowns, and 1 shilling; the monies of Michael Murray, from the person of Hannah Murray.

HANNAH MURRAY. I live in Mermaid-row, Chelsea, and am the wife of Michael Murray. The prisoner lived in my house six weeks—about twelve o'clock at night, on the 5th of March, I was lying on my bed with my clothes on, waiting for my husband—I had a half sovereign, three half-crowns, and one shilling in my pocket—I went to sleep with that in my pocket, and awoke at five o'clock in the morning—the prisoner was sitting up in my room when I went to sleep—when I awoke, my pocket was cut, and I could not find the money—the prisoner was gone away out of the house—I found her in a public-house in Jews-row, drunk, about an hour after—there were some more persons in my room—I cannot swear that she took it—I seized her pocket, and found 5*s.* 2½*d.* in a rag in it—I knew the rag—it was mine, and had had my money in it when in my pocket—I asked her for my money—she abused me and said she had not had it—I cannot exactly swear to this rag—I do not know whether it is the one I had—I told the Magistrate it was—I partly guessed it was.

JOSEPH TINGEY. I keep the Snow-Shoes public-house, in Royal Hospital-row. On Monday morning the prisoner came into my house—I gave her change for a half sovereign—she had a quartern of rum.

JOHN SMITHERS (*police-constable B* 67.) I took the prisoner for stealing this money—she said that the woman told a falsehood about it, for she only took 9*s.* from her; and Mrs Murray produced this piece of rag, which she said the money was in in her pocket.

Prisoner's Defence (*written.*) I lodged there—I went into a public-house and had some porter, where my prosecutrix was with two women and a man, and her husband—we had two quarterns of rum, and then went into the tap-room—my prosecutrix asked if I intended to go to her house—I said, "No"—she said, "I am almost drunk, will you go with me home"—I did, and she would not go to bed—I left her, and the next morning she abused me for stealing 18*s.* 6*d.*

GUILTY. Aged 45.—Confined One Year.

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956. MARTIN HAWKINS was indicted for feloniously forging and uttering, on the 17th of March, an order for the payment of 40*l.*, with intent to defraud Henry Drummond and others.

MR. ADOLPHUS *conducted the Prosecution.*

RICHARD CHADWICK. I am an auctioneer in St. Martin's-lane, St. Martin's-in-the-fields. The prisoner was my errand-boy—I had an account with Messrs. Drummonds, and kept my check-book in a small cupboard with closed doors—one day I left the key in the door, and when I came home the prisoner gave me the key—I soon after saw a check produced from Drummonds'—it was not my writing—I had authorised no one to draw it.

GEORGE CHARLES COX. I am clerk to Henry Drummond and Co. On the 17th of March the prisoner brought in a check for 40*l.*, about eleven o'clock in the morning—I looked, and asked who he had obtained it from—he said, "From Mr. Wright, in Warwick-street"—that is all the conversation we had—I detained him—this is the check—(*producing it*)—it is not Mr. Chadwick's writing—it purports to be drawn by him.

Cross-examined by MR. PHILLIPS. *Q.* Did you go to Warwick-street? *A.* No; I did not ask him the number.

RICHARD CHADWICK *re-examined.* This check is not my writing—I believe the whole of it is the prisoner's writing—I have seen him write, and believe this is his writing.

Cross-examined. *Q.* This is rather a good hand for such a boy as that? *A.* Yes, he wrote well—it is not at all like my writing.

MR. ADOLPHUS. *Q.* Did you ask the prisoner any thing about this? *A.* Yes—he said he picked it off the floor, and it was already written—I asked what he was going to do with the money—he said, to give it to his mother—I have since looked at my check-book—I had written a check, and torn it—immediately after that a check had been cut out close to the binding—I always tear them out through the check-mark.

(The prisoner received a good character.)

GUILTY. Aged 12.—*Recommended to mercy by the Jury.*—Confined Two Years.

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957. GEORGE CADBY was indicted for bigamy.

WILLIAM TAYLOR. I live in Wellington-street, St. John's Wood-road, Marylebone. The prisoner married my sister, Elizabeth Fortescue Taylor, on the 1st of September, 1834, at Marylebone church—I was present at the marriage—they lived together after that a short time—she is alive now—I saw her yesterday.

Cross-examined by MR. BALLANTINE. *Q.* You are brother of the first wife? *A.* Yes; she was about sixteen or seventeen—I do not think the prisoner was more than twenty-one—the marriage was without her father's consent—the prisoner did not treat her very well—he only lived with her six weeks—I do not know why they separated—my father fetched her away—the prisoner would not live with her.

MARGARET TAYLOR. I am the mother of the last witness. What he has said with respect to the marriage is quite correct—I went to know the reason why the prisoner was going to leave my daughter, but I did not wish to take her away—she did not wish to go herself, and her father, my brother-in-law, and I went, and the prisoner said so help him Jesus God he would not live with her—he did not state why—I said he should provide a home for her—he said, she might go on the town, and be d—d, if she liked.

Cross-examined. *Q.* Who was in conversation with you? *A.* My husband—he is not here—he was here yesterday, but he was told he would not

be wanted—Mr. Robinson was there—he is in Edinburgh—this took place on the 15th of October, 1836—I did not go to the prisoner's house, but to a public-house—his wife found him there—I was with his wife—she came to my house, and went with me after the prisoner, and found him—I did not know of Mr. Robinson having been the day before to the prisoner—I did not tell the prisoner that the marriage was void, nor did anybody in my presence—my daughter took a ring with her and bit in half—she said, "Take that, villain, and give it to another, if you like"—I instructed my daughter to do and say so—that was all we said then—we did not sit down and all have something to drink—my husband called for a pot of half and half before the prisoner came in—we did not all share it together, to my knowledge—I did not sit down with the prisoner after this—I went to the station-house to get a policeman to take him up, but they would not after his wife had thrown the ring at him—I did not institute this prosecution.

SARAH CANNON. I live at Mrs. Harper's, Clerkenwell-green. I was married on the 6th of January, 1835, to the prisoner at Limehouse—he lived with me till four weeks on Monday last, and then called a broker, and sold all my things, and left me destitute with my child in the streets—I have one child by him.

Cross-examined. *Q.* When were you married? *A.* On the 6th of January, 1835—the child is two years and four months old come the 30th of this month—I am twenty-seven years old—I had another child at the time I married, by another person—I had the things my father gave me on my marriage—my father did not persuade the prisoner to have me, but he was always after me—he did not tell me of the circumstance relating to his former wife till I was five months gone in the family way—then he told me she was gone to America, and had married again—the prisoner was never in work—it is through friends I appear here to-day.

GUILTY. Aged 24.—Confined Two Years.

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958. ELIZABETH JAMES was indicted for stealing, on the 8th of March, 1 hearth rug, value 5*s.*; 1 looking-glass and frame, value 10*s.*; 1 set of fire-irons, value 4*s.*; and 1 table cover, value 1*s.*; the goods of George Chapman.

GEORGE CHAPMAN. I live in Judd's-place, Gray's Inn-lane. The prisoner was occasionally with me as servant—I missed these articles on the 8th of March—I had discharged her before then—these things were safe at eleven and gone at half-past twelve o'clock—she was not there, that I am aware of, that day—these are the articles—(*looking at them.*)

WILLIAM FISH. I am shopman to Mr. Loveday, of Gray's Inn-road, a pawnbroker. I stopped the prisoner with these things, on the 8th of March, between twelve and one o'clock—she offered all of them to pledge.

Prisoner. There was another girl with me.

GUILTY.* Aged 16.—Confined One Year.

(There was another indictment against the prisoner.)

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959. JAMES GREEN was indicted for stealing, on the 2d of March, 1 pair of boots, value 10*s.*, the goods of John Mumford.

FREDERICK CHURCH. I am servant to Mr. John Mumford, who keeps the White Swan public-house, Whitechapel. About four o'clock in the evening of the 2d of March, I put a pair of boots into the cupboard—the prisoner came in soon after, and asked if I had seen an old shoe throwing

about the tap-room—I said "Yes, I threw it into the cupboard"—I opened the door, and let him look in—the parlour bell rang, and I went away—when I came back he was still looking in—I said, "What are you about so long?" —he said, "Only looking for the old shoe"—the bell rang again, and when I came back he was gone, and the boots too—these are them—(*looking at them*).

SAMUEL TAYLOR. I am a street-keeper. I produce the boots which I got from Jacobs in Petticoat-lane.

ISRAEL JACOBS. I am a general dealer, and go about buying old wardrobes. I met the prisoner—he said, "Will you buy a pair of boots?"—he asked 5*s*. for these boots, and I gave him 4*s*. 3*d*.—I think it was on the 2nd of March.

Prisoner. I went to this house at half-past twelve o'clock—a young man who lodged there asked me, between three and four o'clock, whether I would go into the lane and sell these boots for him, and let him have the money—his name was Richardson—I sold them to this man for 2*s*. 9*d*., and took him back the money—the man said they were his own.

FREDERICK CHURCH. We have a man of the name of Richardson lodging there.

SAMUEL TAYLOR. I took the prisoner—he denied all knowledge of the boots.

GUILTY. Aged 22.—Confined Three Months.

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960. PERCEVAL DEVENISH was indicted for feloniously uttering, disposing of, and putting off a forged order, on the 21st of March, for the payment of 2*l*. 15*s*., with intent to defraud Nathan Phillips.

NATHAN PHILLIPS. I am a slop-seller, and live in High-street, Shadwell. On the 21st of March the prisoner came to me with this note—(*looking at it*)—I did not know him before—I cannot be mistaken in him —when the owners give these notes, the slop-sellers give the holders of them clothes or money sometimes to fit them out—I did not know Mr. Thomas T. Allen, by whom it purports to be signed—we are in the habit of giving money for these notes if we do not know the parties—the captains write them for the owners—the prisoner wanted 2*l*. 10*s*. in clothes and 5*s*. in money—he picked out the clothes between seven and eight o'clock, and wanted to take them away—I said I would bring them the next day on board the ship, and see if he belonged to it—he wanted 5*s*.—I said, "No, I will give you a half-crown, and tomorrow I will give you a half-crown more"—when I came on board the ship I asked if a coloured man was on board as cook—the men said there was no coloured man on board—I said, "I gave him a half-crown"—I took the clothes back, and the prisoner, the next Friday, passed my shop—he ran—I ran, and took him—I said, "You had a half-crown of me"—he said, "I don't know you"—I gave him in charge—I am not a good scholar—my wife read the note, and wrote this, "James Jones," on the back of it, which is the name he gave, and he made his mark to it, which is here.

EMANUEL MOSS. I am a slop-seller, and live in High-street, Shadwell. The prisoner came to my shop the same evening, and brought this note—I refused to cash it, because there was no number of any office on it—it is payable at Mr. Fletcher's office, but no number, or any street, and I would not take it—he said he could neither read nor write—he went towards Mr. Phillips's.

JOHN DOWLING. I am clerk to Henry Fletcher and Sons; they are owners of the ship the *United Kingdom*—they have an office at Limehouse—Captain Thomas T. Allen is captain of the *United Kingdom*—I know his writing very well—I should say this note was not his writing—I have frequently seen him write—the prisoner is not in the list of the crew which we have received—we have printed forms, which we give, of our notes, with the address in print—there is no other officer on board that might sign the captain's name—they might fill it up, but not sign his name—I cannot say whether the vessel sailed after or before the 21st of March.

NOT GUILTY.

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961. HENRY DAY was indicted for stealing, on the 10th of March, 2 waistcoats, value 10*s.*; and 1 stock, value 1*s.* 6*d.*; the goods of James Thomas Hawes.

GEORGE SAVAGE. I am shopman to James Thomas Hawes, of Whitechapel-road, a pawnbroker. About half-past ten o'clock at night, on the 10th of March, I saw the prisoner about my shop—I watched him for an hour or more lurking about—I had occasion to go in—I had not been in five minutes before the lad at the door called me—I missed the two waistcoats and a stock from the rail outside—I ran out, and saw the prisoner running, with the waistcoats under his arm—as I caught him he fell down, and I picked up the waistcoats and him together—he used great violence, and tried to throw me into the mud—these are my master's—(*producing them.*)

Prisoner. I picked them up.

GEORGE HOGSTON (*police-constable K* 128.) I took the prisoner—he said, "I took the waistcoats."

GUILTY.* Aged 23.—Transported for Seven Years.

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962. JANE HORROX was indicted for stealing, on the 3rd of March, ¼lb. weight of silk twist, value 5*s.*, the goods of George Clark.

GEORGE CLARK. I live in Whitecross-street. On Saturday night, the 3rd of March, the prisoner came into my shop—I was informed of something—I went and accused her of stealing a ball of twist—she denied it—I desired her to give it up, or I would send for a policeman—she said I might search her; for she had nothing—I sent for an officer, and she laid a ball of twist on the counter—she turned and asked for forgiveness.

HANNAH COLLINGHAM. I searched the prisoner at the station-house, but found nothing on her—she said she had been into a shop in Whitecross-street, and taken two balls of twist, and they did not know that she had taken but one, but she had dropped one in coming along—I went and found this ball of black twist—she said she was in great distress.

BENJAMIN BAKER (*police-constable G* 43.) I was called, and took the prisoner—she stated she took the ball from Mr. Clark's, and just before we got to the station-house she stooped and dropped something down an area—I went and picked up the ball of black twist.

GUILTY. Aged 16.—*Recommended to mercy.*—Confined Three Days.

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963. JAMES MOORE was indicted for stealing, on the 2nd of April, 1 handkerchief, value 2*s.*, the goods of James Holyoake, from his person.

JAMES HOLYOAKE. Between seven and eight o'clock, on the 2nd of April, I was in Cheapside, and Cuthbert spoke to me—I put my hand into my pocket, and my handkerchief had been stolen—I had seen it safe two or

three minutes before—this is my handkerchief—(*examining one*)—it has no mark, but I am convinced it is mine.

JAMES CUTHBERT. I am inspector of the watch of Bread-street ward. I was in Cheapside at a quarter before eight o'clock that evening—I saw the prosecutor, and the prisoner put his hand into his pocket, and take out his handkerchief—he crossed the road—I took him, and he threw it down.

Prisoner. It was *chucked* on my feet, and I picked it up. *Witness.* No; he ran after he took it out of the prosecutor's pocket—he had tried another pocket just before.

GUILTY.* Aged 24.—Transported for Ten Years.

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964. EDWARD WILKINSON was indicted for stealing, on the 5th of March, 1 spoon, value 6*s.*, the goods of John Newberry, his master.

ELIZA NEWBERRY. I am the wife of John Newberry, of Spring-place, Kentish Town, a gold-beater. The prisoner came into my service, to clean boots and shoes, and do what was wanted—on the 5th of March I missed a silver spoon, and charged him with having it—he said he had not—this is it—(*looking at it.*)

DANIEL FARRAGE (*police-sergeant S* 13.) I took the prisoner—he said he had not got the spoon; but in going up the kitchen stairs, he said he had taken one—I went back, and he took this spoon from some ashes.

Prisoner. The officer said he would do me all the mischief he could.

GUILTY.* Aged 21.—Transported for Seven Years.

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965. JEREMIAH PANNING was indicted for stealing, on the 12th of March, 4 pewter pots, value 7*s.*, the goods of Stephen Balcombe.

STEPHEN BALCOMBE. I keep the Eagle and Wheat Sheaf, Albion-place, Paddington. On the evening of the 12th of March, about half-past nine o'clock, I saw the prisoner walking up Albion-place—I took hold of him, and this pot fell from under his arm, and this other one from his hat—these other two were found under his waistcoat and in his waistband—they are all four mine, and had been in my house that evening.

Prisoner. I went to the house—there were about twenty men, some drunk and some not—there were some with screws—they screwed up two of the pots, and put them under the table—I took them up, and as I was going out there were two more under the rails, and I took them—necessity compelled me to do it.

HENRY WILLIAM TURPIN (*police-constable F* 39.) I found this pint pot in the waistband of his trowsers, and this under his jacket.

GUILTY. Aged 47.

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966. JEREMIAH PANNING was *again* indicted for stealing, on the 12th of March, 1 chisel, value 6*d.*, the goods of James East.

JAMES EAST. I am a carpenter, and live in Little London-street, Paddington, near to the last prosecutor. I lost a chisel on the 12th of March—this is it—(*looking at it*)—I have known the prisoner for some years—he is a bricklayer's labourer, and was working near my premises.

HENRY WILLIAM TURPIN. I found the chisel in the waistband of the prisoner's trowsers, at the time I found the pots.

Prisoner. I put it there to give it to the owner in the morning; I found it among some rubbish.

GUILTY. Aged 47 —Transported for Seven Years.

967. GEORGE WOOD and JOHN WRIGHT were indicted for stealing, on the 12th of March, 1 carpet, value 3*l.*, the goods of Eliza Thompson.

FRANCIS BURTON. I live in Mount-terrace, Whitechapel. Eliza Thompson, my niece, is a broker—this carpet was hers on the 12th of March, and was missed off two large chests outside the door.

THOMAS MILLER. I live in John-street, Whitechapel. About one o'clock, on the 12th of March, I was coming from dinner, and saw the two prisoners coming up Court-street with a carpet—they passed it from one to the other—I followed them to a field where they shook it, and took it to Mr. Reynold's shop—this is the carpet—(*looking at it.*)

JOHN CHUBB. I am foreman to Mr. Reynolds, a pawnbroker, at Mile-end-road. I took in this carpet of the prisoner, Wood, at half-past one o'clock, on the 12th of March—there was no one with him.

FREDERICK PICKERING (*police-constable K* 87.) I took the prisoners into custody—I found on Wood 11*s.* 7½*d.*, and the duplicate of the carpet in his boot—Wright said he knew nothing about it.

Wood's Defence. I bought the carpet nearly a month ago.

Wright's Defence. I met this young man—he said he was going to pledge a carpet, would I go with him—we were gone to have something to drink, and they came and took us.

WOOD—GUILTY. Aged 20.—Confined Three Months.
WRIGHT—NOT GUILTY.

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968. SARAH ALLEN, *alias Susan Anderson*, was indicted for stealing, on the 14th of March, 1 piece of carpet, value 1*s.*; 1 pair of pattens, value 6*d.*; and 1 pair of clogs, value 6*d.*; the goods of William Winsby.

SUSANNA WINSBY. I am the wife of William Winsby, of Union-street, Middlesex-hospital. On the 14th of March, as I went down stairs, I heard some one follow me—I turned, and saw the prisoner—I said, "What have you been doing in my room?"—she said, "I have been to Mrs. Spink"—I said there was no such person, and then she said Mrs. Jones—I said no such person lived there—I took her into the second-pair room, and she dropped a piece of old carpet—I looked at her again, and saw these clogs—I said, "They are mine"—"No," said she, "they are mine"—I asked her if she had any thing else, and then she took my little girl's pattens from her bundle.

Prisoner. This carpet was on the stairs—the clogs and pattens I never saw—I had been up stairs to a person, and knocked at the door, but they were not at home.

GUILTY.—Confined Six Months.

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969. JOHN AUSTIN was indicted for stealing, on the 10th of March, 1 pewter pot, value 1*s.*, the goods of Alexander James Gate.

ALEXANDER JAMES GATE. I keep the Black Horse, Tottenham-court-road. About eight o'clock, on the 10th of March, the prisoner came in to drink—Mr. Bliss gave me information—I took the prisoner, but this pot was taken from him outside the door.

JOHN BLISS. I was at this public-house, and saw the prisoner take the pot, put it into his hat, and go out—I gave information, he was followed, and the pot taken on him.

Prisoner's Defence. I fell into intoxication, which was the cause of my committing the offence—I have no recollection of taking it.

ALEXANDER JAMES GATE *re-examined.* He was not drunk.

GUILTY. Aged 43.—*Recommended to mercy.*—Confined Three Months.

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970. JOHN BEAL was indicted for feloniously breaking and entering the dwelling-house of Joseph Lincoln, on the 11th of March, at St. Marylebone, and stealing therein, 9 spoons, value 2*l.* 14*s.*; 1 pair of sugar-tongs, value 12*s.*; 1 necklace, value 1*l.*; 1 seal, value 1*l.*; 4 rings, value 1*l.*; 1 brooch, value 8*s.*; 1 coat, value 1*l.* 10*s.*; 1 boa, value 10*s.*; 1 scarf, value 1*l.* 10*s.*; 3 shirts, value 12*s.*; 20 keys, value 10*s.*; 20lbs. weight of tea, value 4*l.* 10*s.*; 1 cash-box, value 10*s.*: 2 purses, value 6*d.*; 10 shillings, and 6 shillings in copper money; his goods and monies.

JOSEPH LINCOLN. I live in New Church-street, Marylebone, and am a grocer. I only rent the two parlours, shop, kitchen, and vault—there is an open passage for all the lodgers—I have no outer door to my apartments—I have a door that opens into the passage—these apartments are my dwelling-house—the prisoner formerly lived in the same house, but had left—I and my wife went out about three o'clock in the afternoon, on Sunday, the 11th of March—I locked the door of the shop, and put the key under the hearth-rug—I locked the door that led into the passage—no one was left in my part of the house—I had also a key of the street-door—it goes with a spring-lock—I fastened it when I went out—as I walked along, I saw the prisoner about 150 yards from my house—I asked him how his wife did—he replied, "I believe, pretty well"—I went to Little Marylebone-street, and then to Paddington-chapel—at seven o'clock I was called, and came home about ten minutes past seven o'clock—I found the policeman there, and the three rooms all in an uproar, strewed with papers and tea, and every place ransacked—when I left I had nine spoons—they were worth 2*l.*; and sugar-tongs, 20lbs. of tea, and other things, to the value of 10*l.* 3*s.* 7*d.*—I lost a cash-box and canvas bag—I have since seen the cash-box and bag—they are mine—that is all I have seen.

REBECCA LINCOLN. I am the prosecutor's wife. I accompanied my husband—when I came home I saw the drawers all open—I missed a necklace, two plain gold rings—a gold keeper, a gold brooch, a fur boa, a silk scarf, a bag, and other things, to the value of 7*l.*—I have not seen any of them since.

JOHN WICKHAM DAW. I live on the second floor of this house. I remember on that Sunday afternoon a knock at the door—there was a man there with magazines and the prisoner—I bought one magazine of the man, and he went away—Mr. Beal asked me if anybody had been there for him that morning—I said, "No"—he told me to go to ask Mrs. Lincoln—I tapped at the door, and she said, "No."

JOHN GEORGE PRATT. I am a policeman. I received information from some children, and I went, about seven o'clock, to the prosecutor's house—the place was all in confusion—the drawers were open—some persons had been in the place before I got there—the doors did not appear to have been forced—I went into the bed-room, and the things were all strewed about, and on the table I found this chisel—the tea was strewed about in the shop, and the acidulated drops and other things—I went to the prisoner's house, No. 9, Little Carlisle-street, about nine o'clock—no one was

at home—I saw the prisoner coming along the street about half-past nine o'clock—his door was open—I knew him by the description—when he got in, I knocked at the door—he came—I asked if his name was Beal—he said, "No"—I told him whether his name was Beal or not, he must go with me—I wanted him—he made no answer, but went with me—as I was taking him to the station-house, I asked him if he knew Mr. Lincoln—he said he did—I asked if he had seen him that day—he said he had.

Prisoner. Instead of saying my name was not Beal, I said "Why." *Witness.* He said distinctly, "No."

JOSEPH NIFTON (*police-constable D* 118.) The prisoner was brought to the station-house—I took charge of him—he had been there between five and ten minutes, and said he wanted to go to the water-closet—I said before he went I would search him—I found four half-crowns and 6*d.*, sixteen duplicates, this screw-driver, a quantity of farthings, and halfpence, a tobacco-box, and in this canvas bag ten halfpence and two penny pieces—the prosecutor identified the bag—the prisoner went to the water-closet—I watched him—he was there ten minutes—he came out again and stood with me a few minutes, and then said he wanted to go again—I allowed him to do so—he was there three or four minutes, and as he was leaving, I heard some money drop—I examined the water-closet, and found two farthings and some tea, after I had searched him.

REBECCA LINCOLN *re-examined.* I made this bag, and it was in the cash-box when I left home that day—I had about a shilling's worth of farthings—they were gone—they were in the apartments, not in the cash-box.

JOHN RYAN. I am a police-sergeant. I was at the station-house when the prisoner was brought there—I went to the water-closet, and found two farthings, and some tea—a woman came afterwards and asked if a person of the name of Beal was there—she said she was his wife—we said, "Yes"—she had these keys in her hand—I asked what they were—she said, one was of the door where she lived, No. 9, Carlisle-street—I went there and the key did not fit, and then I tried the room door and this key did not fit—I then went to Lincoln's, and this one key fitted the outer door, and the other fitted the parlour door.

THOMAS HENRY THOMPSON. I am a police-sergeant. I went to the prisoner's lodgings and found this cash-box under the bed, at No. 9, Carlisle-street, also a dark lantern.

MRS. LINCOLN *re-examined.* This is my husband's cash-box.

Prisoner's Defence. I left my wife in the morning at half-past eight o'clock, and never saw her again till she came to the station-house—she had the keys in her possession all the day, and brought them to the station-house—they do belong to the lodgings I occupy—the back parlour door and the front door—I saw Mr. Lincoln in the afternoon, and was not at home again till the officer took me about nine o'clock—the four half-crowns found on me I have had above a week—when I went home in the evening, I found the bag on the table.

GUILTY. Aged 40.—Transported for Ten Years.

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971. JOHN GOODCHILD and ISAAC GOODCHILD were indicted for stealing, on the 15th of March, 1 leaden sash weight, value 2*s.*, the goods of Mary Hannah Fearn and another.

THOMAS WESTLEY. I am foreman to Mary Hannah Fearn and another, of Uxbridge. They had a leaden sash weight—I saw it safe on the 8th of March, in a shed—I think I missed it on the 14th—this is it—(*looking at it*)—I had it in my hand a few days before.

Cross-examined by MR. PHILLIPS. *Q.* Have you any mark on it? *A.* No, only the string being cut as it is—there were several stolen—it is a piece of patent line—it is a common thing—I have no mark on the lead—I did not see it from the 9th till the 13th.

WILLIAM SERVANT. I am a police-sergeant. I took the prisoner John, on the 14th, at Smith's beer-shop, which adjoins a marine-store shop—he had the weight in his pocket—Isaac was at home, and his brother told me that he gave it him—I went and took Isaac. NOT GUILTY.

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972. JANE BOWDEN and CATHERINE M'BRIDE were indicted for stealing, on the 7th of March, 2 half-crowns, and 10 shillings, the monies of Thomas Brown, from his person.

THOMAS BROWN. I live in James-street, Kensington, and am a saddler. On the night of the 7th of March I went to the Bell public-house, near Tothill-street, with Jane Bowden—I was half drunk—I went to sleep—I cannot say what time it was—I was awoke, and missed my money—I had about 15*s.*—there were two half-crown pieces, and the rest were shillings.

WILLIAM WATERMAN. I was at the public-house, in New Tothill-street, that night—I saw the prosecutor with Bowden—in a quarter of an hour M'Bride came and spoke to Bowden—she took the newspaper, and stood before the prosecutor, and I saw Bowden take out the prosecutor's hand out of his pocket, and put her hand in three times, one time I saw a half-crown, and when she got it out the third time she put it into her left breast, turned to M'Bride, and said, "Come on, it is all right, I have got it"—she was going out—I stopped her, and said, "It is not all right"—I sent for the policeman—M'Bride turned and said, "It serves you right; I told you how it would be"—Bowden resisted as much as she could, and tried to bite me—the officer came, and I told him to look into her bosom and he would find some money.

JAMES DALTON (*police-constable B* 63.) I took Bowden, and found five shillings in her breast—she was very resolute, and tried to bite—I took her to the station, and found five shillings more, and Waterman found the remainder—M'Bride was taken afterwards—she got away at the time.

Bowden's Defence. I can assure you I had got the money with a petition for my husband, who was lying ill in the hospital, and since that he is dead—the petition was taken from me at the Office.

BOWDEN—GUILTY. Aged 21.—Confined One Year.
M'BRIDE—NOT GUILTY.

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973. STEPHEN AYLIFFE was indicted for stealing, on the 6th of March, 36lbs. weight of coals, value 6*d.*; and 4½lbs. weight of potatoes, value 1½*d.*; the goods of Samuel Joynson, his master: and ANN AYLIFFE, for feloniously receiving the same, well knowing them to have been stolen.

SAMUEL JOYNSON. Stephen Ayliffe worked for me—there is a fence between his yard and mine—Ann Ayliffe is his wife—she was formerly a servant of mine—I have lately missed potatoes and coals—I desired the policeman to look out—he brought Stephen to me, and the constable produced

some coals to me in a sack—I could not swear to them—I believe they were mine—the potatoes were at the bottom, under the coals—they appeared the same as were in my cellar—I believe they were mine, but cannot swear to either.

Cross-examined by MR. PHILLIPS. *Q.* I suppose one potato is mighty like another, is not it? *A.* Yes—they were at some distance from the coals in the cellar—they were a kidney potato.

THOMAS LYNE (*police-sergeant V* 5.) I received information from Moore that the prisoner was in the habit of robbing his master in the morning, between five and six o'clock, of potatoes and coals—I went with the officer to watch him—a few minutes before six o'clock, on the 7th of March, I saw him passing from his master's yard to a paling which separates his yard from his master's—he got up some steps, and conveyed a sack full of something to his premises—I went and found the sack inside the threshold of the prisoner's door, and his wife standing by—I said, "Is that the way you rob your master?"—he said the coals were left for him—I took him—the sack contained coals and potatoes.

Cross-examined. *Q.* You will swear to the sack that the prisoner had, I suppose? *A.* Yes.

ROBERT MOORE (*police-constable V*85.) I received information—on the 6th of March I saw this sack put over the fence, by the male prisoner, from the prosecutor's yard—I saw him bring it out of the prosecutor's house—I was in a stable—I went over the fence, and took the sack and the female prisoner—I examined the sack at the station-house, and two pieces of coal that I had marked the night before, at half-past eleven o'clock, in the cellar, were in the sack.

Cross-examined. *Q.* What mark had you put on them? *A.* Here is the mark—(*showing it.*)

(The prisoner Stephen Ayliffe received a good character.)

STEPHEN AYLIFFE—GUILTY. Aged 40.—*Recommended to mercy.*
Confined Three Months.

ANN AYLIFFE—NOT GUILTY.

Fifth Jury, before Mr. Sergeant Arabin.

974. JOHN M'CARTHY was indicted for stealing, on the 29th of March, 90 yards of linen cloth, called hessian, value 3*l.*, the goods of Abraham Fountain.

ABRAHAM FOUNTAIN. I live at Ealing, and keep a linen-draper's shop. This cloth was outside my shop on the 29th of March—I missed it about twenty minutes past seven o'clock, when I was called out of my parlour—I have frequently seen the prisoner—he was horse-keeper at a house opposite—about eight o'clock the same evening we went and found it in a hay-loft which the prisoner has the charge of—I saw the prisoner before I searched, sitting in the tap-room—the officer spoke to him, and he went into the yard, and began shutting the gates—he was with me when I went into the loft—this is the cloth.

Cross-examined by MR. BALLANTINE. *Q.* Have you a mark on it? *A.* Yes—there are ninety yards—the stable is rented by Mr. M'Intosh the contractor.

ANN BETT. I live with Mr. Fountain. I saw the prisoner examining

the goods about half-past five o'clock—he then went away, and I missed them about twenty minutes past seven o'clock.

Cross-examined. *Q.* Were these outside the door? *A.* Yes—I only know the prisoner by seeing him about.

THOMAS YATES. I keep a grocer's shop next door to Mr. Fountain, round the corner. I saw the prisoner that night standing in the road, four or five yards from the prosecutor's—he came into our shop, and had some bacon and eggs—he came again in five minutes, and had two more eggs.

JOHN PASCOE (*police-sergeant T* 19.) About half-past seven o'clock, on the 29th, I received information from Mr. Fountain—I went and questioned the prisoner if he had been over to that shop, and from that I went and searched the loft, and found the property—he appeared very much agitated.

Cross-examined. *Q.* Did you know these premises? *A.* Yes—the door was shut, but not locked—there are a great many persons in Mr. M'Intosh's employ—many of them have access to the stable.

WILLIAM TAYLOR (*police-constable T* 36.) I had charge of the prisoner—as soon as the sergeant got into the loft, the prisoner tried to make his escape, to get to the loft door, to get out—I was inside the loft.

NOT GUILTY.

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975. HENRY WHEELER was indicted for feloniously breaking and entering the dwelling-house of Joseph Mills, on the 10th of March, at St. Leonard, Shoreditch, and stealing therein, 3 blankets, value 1*l.* 6*s.*, his goods; and that the prisoner had been before convicted of felony.

JOSEPH MILLS. I am a journeyman ironfounder, and live at No. 18, in Windsor-street, City-road, in the parish of St. Leonard, Shoreditch; it is my dwelling-house. About eight o'clock, on the 10th of March, I went into the parlour—I saw the prisoner standing against the table, the door was open—he got on the table and jumped out of the window the moment he saw me—I jumped out and followed him—I did not lose sight of him for a moment—he had got about thirty yards—when I got up to him he said, "I am innocent"—I had not charged him with any thing—I brought him back to my house and gave him into custody—my wife was in the room before I went in, and had put the child to bed ten minutes before—I found the articles stated packed up in a bundle, ready to carry away—my door was fastened with a spring lock.

Cross-examined by MR. BALLANTINE. *Q.* He was not very long before he got out? *A.* No—I had a candle in my hand, which made me observe him better—he had a cord jacket, fustian trowsers, and a round cap—he had the same on when I caught him—when he was running I said, "Holloa, I want you"—I did not tell him what for—he was walking away from me when I came to him.

GEORGE BETLY (*police-constable N* 217.) I took the prisoner—he had a blue cloth cap on.

GEORGE SAYER (*police-constable N* 34.) I know the prosecutor's house—I was there about ten minutes before eight o'clock, and examined every shutter in the street, and every window was fast, except No. 10.—I searched the prisoner, and found this small whistle in his pocket—he said he was a cabinet-maker, and made this whistle.

HENRY ALLEN (*police-sergeant N* 21.) I got this certificate of the

prisoner's former conviction from Mr. Clark's office—(*read*)—I was a witness on that indictment—he is the same person.

GUILTY. Aged 17.—Transported for Fifteen Years.

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976. CHARLES WILLIAM LOVE was indicted for bigamy.

MR. JONES *conducted the Prosecution.*

JOHN ASHFORD. I had a sister of the name of Ann Mary Ashford—I was present when the prisoner was married to her, about fifteen months ago, or I should say it was longer than that—she died in childbirth fourteen months back, I should think.

Prisoner. *Q.* Was your sister named Ann Mary Ashford? *A.* Yes—I had a sister, Ann Maria—I cannot say that you ever ill-used my sister—I never knew it—you lived next door to me.

MR. JONES. *Q.* Was your sister's name Ann Mary Ashford? *A.* I cannot tell—I was not present when she was christened—I never heard her called Ann Mary—they called her Ann.

JOHN WILLIAM HARRINGTON. I had a sister of the name of Mary Ann Warr—I was a step-brother of the prisoner—I was at Stepney in 1817, when he was married to Mary Ann Warr—I have seen his wife within a month at the police-office—Mary Ann Warr and the prisoner lived together after they were married, for about twelve years, till they were parted, as far as I know.

Prisoner. *Q.* Did you ever hear of my ill-treating her? *A.* No—I believe she left you—I cannot speak about your fetching her back—I know you lived alone for a length of time—I was put into a madhouse, but I have been out twelve months.

ITHIEL PRICE. I am parish-clerk of St. Dunstan's, Stepney. I produce the register of marriages in 1817—I find a marriage between Charles Love and Mary Ann Warr, on the 13th of August, 1817.

ELIZABETH ASHFORD. I am the wife of John Ashford. I was present when the prisoner was married to Ann Mary Ashford, on the 1st of February, 1836, at St. John's, Hackney—she has since died.

WILLIAM JACKSON. I am parish-clerk of St. John's, Hackney. I produce the register of marriages—I find a marriage entered on the 1st of February, 1836, between Charles Love and Ann Mary Ashford—I was present.

GEORGE GREEN. I apprehended the prisoner at Bethnal-green workhouse—I told him the charge—he said, "I cannot deny it."

ELIZABETH ASHFORD *re-examined.* When the prisoner married my sister she was single—she had formerly lived with me—she was a brush-maker—they lived together for ten weeks before she was confined and died.

(The prisoner, in a written defence, stated that his first wife had deserted him, and cohabited with another person, and that she had consented to his marrying again.)

GUILTY. Aged 45.—Confined Three Months.

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977. CHARLES WILLIAM LOVE was *again* indicted for bigamy.

JOHN WILLIAM HARRINGTON. I was present at Stepney church when the prisoner was married to Mary Ann Warr—I cannot speak to the month—it may be twenty-one or twenty-two years ago—she lived with him after that—I saw her at Worship-street office when the prisoner was there—they were married at Stepney church.

ITHIEL PRICE. I produce the register of marriages from Stepney—on the 13th of August, 1817, Charles Love was married to Mary Ann Warr—I was present, and made the entry.

ELIZABETH MERCER. In the beginning of 1832 the prisoner paid his addresses to me—he married me at St. John's, Hackney, on the 1st of May—I lived with him twelve months and then left him, as I found he had a wife—I should have left him before, but I could not get employ sooner—I was a weaveress, and had no money.

Prisoner. *Q.* Do you not recollect my telling you that I had a wife? *A.* There was something passed, but I thought it was a joke—you did not ask me to go and see her—you lived with me while the banns were up for a fortnight—I was afraid of losing the bit of home I had—I had been a widow for ten years—I was not in the poor-house—I was going in—you did not wrong me of any thing.

JOHN WILLIAM FURBEY. I was present at the marriage of the prisoner with Elizabeth Mercer, on the 1st of May, 1832.

WILLIAM JACKSON. I am clerk of St. John's, Hackney. I produce the register of marriages for 1832—I find, on the 1st of May Charles Love was married to Elizabeth Mercer.

GUILTY. Aged 45.—*Recommended to mercy by the Jury.*
Confined Three Months more.

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978. CATHERINE NOWLAND was indicted for stealing, on the 10th of March, 5¼lbs. weight of bacon, value 3*s.*, the goods of William Gunston.

CRANLEY BRETNELL. I am servant to William Gunston, a cheesemonger, of Exmouth-street. I saw the prisoner come into the shop on the 10th of March, at half-past nine o'clock—she was in the act of taking a piece of bacon, but Mrs. Gunston saw her, and she put it down—she came again, took the bacon, and was going away with it, and I took her to the station—she was intoxicated.

(The prisoner received a good character.)

GUILTY. Aged 51.—Confined Three Days.

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979. JOSEPH KELLY, WILLIAM HARRIS, and GEORGE CLARKSON were indicted for feloniously breaking and entering the dwelling-house of Richard Sole West, on the 10th of March, at St. Luke, and stealing therein 12 penknives, value 6*s.*, his goods.

GEORGE CLARK. I am a linen-draper. Mr. West is a cutler, and lives in Banner-street, St. Luke's—about 10 o'clock in the morning, on the 10th of March, I was passing and saw Kelly and Harris standing close to the window—I removed Harris from the window, and saw it was perfect there—I then moved Kelly, and saw a hole broken in the corner of the glass, and a board inside which had had knives on was cleared—I said, "What have you been about?"—he said, "Nothing"—I took him into the shop—Mr. West, jun., came out of the room into the shop, and Kelly took out eight knives and said Harris had given them to him—Harris ran away when I took Kelly—I did not see Clarkson there.

FRANCIS WEST. I am the son of Richard Sole West. This is his dwelling-house—it is in the parish of St. Luke's—Clark brought Kelly in, and he produced the knives out of his pocket, which were my father's—we lost about a dozen—this glass had been cracked about an hour before, but had

not fallen out—it had been cut out by some sharp instrument—it was dug out of the putty.

WILLIAM BARNES (*police-constable G* 35.) I took Kelly and the eight knives.

JAMES BRANNAN (*police-constable G* 20.) I received information, and went to Peter's-lane, Cow-cross—I saw Clarkson standing at the end, and he ran up New-court—he went into a house on the second floor—I seized him and got him down—I found a knife on him and a piece of wire with a hook at each end—the knife was identified by the prosecutor—I asked Clarkson where he got it—he said, "I bought it"—I said, "Where?"—he then said he saw a bone picker throw it down, and he picked it up—he then said he had been lucky enough to escape five indictments, but now I had *nailed* him on the *ready*—I was going away and saw Harris going towards Smithfield, and took him—his hand was cut and bloody—he said it was done by opening oysters.

FRANCIS WEST *re-examined.* This is my father's knife—I cannot say it has not been sold, but believe it has not.

Harris. I did not say it was done with opening oysters.

Clarkson. I did not tell the officer what he says. *Witness.* Yes, he did—he said he was *nailed* on the *ready* this time—it was from a description I got that I took Clarkson, and seeing him run away to No. 13, I went and took him there.

(The prisoner Kelly received a good character.)

KELLY—GUILTY. Aged 13.—*Recommended to mercy.*—Confined Three Months.

HARRIS—GUILTY. Aged 16.—Confined Six Months.

CLARKSON—NOT GUILTY.

OLD COURT. *Thursday, April 5th,* 1838.

Second Jury, before Lord Chief Baron Abinger.

980. JOHN LATHAM was indicted for unlawfully, maliciously, and feloniously assaulting David Cooper, on the 9th of March, at Hillingdon, and unlawfully, &c., cutting and wounding him upon his left leg and left thigh, with intent to maim and disable him, or to do him some grievous bodily harm; and ANN CLEMENTS was indicted as accessory after the fact.

MR. CLARKSON *conducted the Prosecution.*

DAVID COOPER. I am a sergeant of the police establishment at Uxbridge, Middlesex. On the evening of Friday, the 9th of March, I was on duty there—I had occasion to see one Richard Pearce about a fortnight before—he is not at present in custody—I had seen his stable open about one o'clock in the morning, and thinking it my duty to see if anybody was in it, I went in, and saw Pearce lying with a prostitute, both asleep—I awoke them up, and informed him that his door was open—I knew him to be a married man with a family, and disturbed him—on Friday evening, the 9th of March, I went to the Rockingham-road—there is a beer-shop there—Fortman, a policeman, was with me that night—I saw the prisoner Latham knocking at the window of the beer-shop, about half-past nine o'clock at night—there were several persons near the front of the shop—some of them were drunk and making a noise—I did not interfere with them while they stood there

—I said nothing to either of them—I placed myself about ten yards from the beer-shop, thinking that, seeing me, they would move away—I had not been there above ten minutes before Pearce came up to me, and began to abuse me—Latham was within hearing—Pearce said, "D—n you, what business had you in my stable the other night?"—I said, "My good fellow, I do not want to have any thing to say to you," and immediately left him—I was proceeding towards the station—Fortnum went away with me—as we were going along, we were followed by Pearce and Latham—Pearce was on before Latham two or three yards—Pearce called out, "You b—y police, we will get you out of this town; we will make this town too hot for you; we will do your business," and such expressions as those—I cannot say whether Latham used any expressions, for I walked on quickly to get away from them—I arrived at the gate of the station-house before any thing was done—as I was going in at the gate, Pearce put himself into a fighting attitude, and again used the expressions I have named—he was not more than six or seven feet from me—he was within reach of me, if he had struck me—(Latham was close behind him—close to him—he did not say any thing)—I found it necessary, as the peace was broken, to take Pearce into custody—there were fifty or sixty persons collected together in a mob—they had been followed by all the persons who were at the beer-shop, and the mob collected as they came along—I took Pearce by the collar, to take him into the station-house, and immediately Latham hung himself right round Pearce, as I suppose, for the purpose of rescuing him from me—we gave a sudden pull, and got them both inside the gate—they had both been drinking pretty freely, and were labouring under the effects of drink—I got them both into the station-house, and Fortnum shut the gate—the door of the station-house is not more than two or three yards from the gate—it is a small room we have for the purpose of taking the charges—I succeeded in getting Pearce and Latham into the charge-room—we have a strong-room eight or ten yards from the charge-room—Fortnum left after getting them into the charge-room—they were both in liquor, and clinging to each other—when I got them into the room, they both fell down on the floor, and while there I and my wife kept them down as well as we could, while Fortnum went to open the door of the strong-room—while I was endeavouring to keep them down, Latham got himself round so as to get on one leg—he put his arm round, and took something from his pocket—there was a strong light in the room, a fire and a candle—I saw something in his hand which appeared to me to be a table-knife—he made several thrusts at me—here is the great coat I had on—(*producing it*)—here are seven stabs in the coat in the part which covers my thigh and leg—there is one stab in the arm—I felt the knife go into my leg—I called out, "Oh, the villain has stabbed me"—Pearce, who laid down in one part of the station-house, hearing me say that, called out, "That is right, give it the b——r," quite loud.

Q. Did you feel that you had received more than one wound at the time Pearce called? *A.* No—the particular wound I felt was of a particular description—it went nearly through the calf of my leg—I have reason to recollect the moment I received it—I felt the knife enter the calf of my leg—after receiving this wound, Latham got himself up on his legs, in the charge-room—I stepped back off the step, and he made another plunge at me—I drew my staff out, and struck him on the side of his head—I got out into the yard, and he followed me, making thrusts at me as he followed

—I discovered I had two wounds—I hardly know how many stabs I had before I used my staff—he followed, and thrust at me—I struck him again with my staff, in the yard, and at that moment the station-house yard gate was burst open, and a mob of persons entered—the first person I saw was the female prisoner, Clements—at the time the gate was being opened my leg was bleeding—I felt the blood flowing from me—it was pouring over my boot—at that time, I should think, there were two hundred persons collected round the station-house—fifteen or twenty accompanied Clements, as many as could crowd in at the gate—on her coming in, she was close to me and Latham, as we were close to the gate—I will not say that Clements could see the state of my leg—as she entered I and Latham were fighting—he was stabbing at me at the time, and I was keeping him off—she saw us fighting, and clapped her hands, and called out, "Give it him, give it the b——r"—she turned round to the others, and said, "Get out your knives, we will give it to the b——r," and such like expressions—the mob got both prisoners out of the yard—they caught hold of them, and pulled them out of the gate—Pearce had got out of the house then—he had got into a corner, and was still calling out to Latham to give it to me, but did not join in it himself—he was standing up in a corner, not above two yards from me and Latham—I had got two men taking their rest, before going on duty, and Fortnum had gone to call them, believing they would make an attack on us—a great number of the windows of the station-house were broken, and we heard the stones fly up at the windows, at least we heard the windows crack—I then went, and saw my three men come down stairs—the prisoners, at that time, were gone—I suggested that we should go and take them—up to the time, I used my staff, to protect myself, I had never spoken to Latham, nor put a hand on him—I became exhausted from the wound—we had left our cutlasses exposed, in the little room, near the gate—I proposed to go back and secure the cutlasses; and on going back, the gate was again broken open; and the female prisoner kept calling out, "Here they come—Get out your knives, my boys, let us give it to the b——s"—I had just pushed down the catch of the gate—the latch was broken off by their bursting it in.

COURT. *Q.* What happened when the woman called out what you have said? *A.* I was exhausted then—I found I had a stab in the calf of my left leg, and one just in the inside of my left thigh—the wound in the thigh was about six inches above the knee—the wound on the calf of the leg appeared a very bad one—the other one did not enter my flesh very far, and that is not a very bad wound—it appeared to be done with a sharp instrument—the one in the leg appeared to have been cut two ways, as if when the knife got in it had turned round—I had two wounds—here is the part of my coat which came directly over my leg, where the lower wound is—here are seven holes altogether, and there is a cut in the right arm of my coat—that is included in the seven.

Cross-examined by MR. PAYNE. *Q.* Who was present when you received the first stab? *A.* My wife was with me in the room, holding Latham and Pearce down—I believe Fortnum was near the door, having just returned from unlocking the strong room—the woman might have seen Latham's head bleeding—I will not venture to swear she did not see it—it was a bright moon-light night, and there was a large fire in the station-house, and a candle—I had never spoken to Latham in my life before—he had a cap, which Fortnum has got—Latham was taken on

the spot, very soon after—Pearce had got away—my wife is here—I was in the Metropolitan Police about six years ago—I retired from that, and went into the country with an insane lady, and when I returned, I was recommended to this place—I resigned from the police of my own accord.

George William Fortnum. I am one of the police-constables of Uxbridge. On the evening of Friday, the 9th of March, I was with Cooper in Rockingham-place, about half-past nine o'clock—there is a beer-shop nearly opposite to where we were—I observed a vast crowd around the beer-shop—the prisoner Latham was much enraged, holding his fist up, wishing somebody to come out, I believe, whom he had been quarrelling with—I believe the persons were in liquor—I did not interfere with them, nor did Cooper—they made use of bad language, and called us b—y police and b—y half-starved looking b——s—Pearce used bad language, and said, "B—y police"—neither I nor Cooper took any notice of him—we walked on towards the station-house, followed by a number of persons—Pearce was foremost—I did not see Latham follow, but he hung on Pearce when he was collared—Pearce used language respecting being caught in the barn—I saw Cooper collar Pearce, and Latham hung on him—I did not see Pearce do any thing to Cooper before Cooper took hold of him—when I got to the station-house, Cooper endeavoured to pull Pearce in, and Latham hung on him—we succeeded in getting them both into the yard, and shut the gate—we got them into the charge-room—there was a great struggle between Pearce and Sergeant Cooper and Latham—Pearce was on the ground, flat on his face, and Latham on the top of him—there is a strong-room near the spot—I went to open it, by the desire of my sergeant, to get the prisoners in—after I returned from the strong-room I saw Latham, on one knee, making two distinct stabs as it were at Cooper, who said, "I am stabbed; run and get the men up"—I did not hear what passed from Pearce when the sergeant said, "I am stabbed"—but I heard Latham, when he stabbed him, say, "Take that, you b——r"—I went for the policemen, who were resting, to take their turn at twelve o'clock at night—Latham and Pearce had got away, when I returned from calling the men, and I found the gate of the station-house yard had been burst open—I did not see the female prisoner till she was brought in in custody—I did not hear what passed with her—while Latham was in the charge-room, after hearing a cry that the man was stabbed, I saw something shine in Latham's hand—I cannot say what it was.

James Darvill. I am constable of Uxbridge. I was in the town on this Friday evening, about half-past nine o'clock, and saw a disturbance at the station-house—I went towards it, and found about a hundred or more persons about the gate—I saw the female prisoner there—she was against Pearce and several more, trying to burst the gate open—five or six of them were rushing against it at once—I pushed her away—she went into the road—I pushed Pearce from the gate, and I saw her throw some stones three times—I heard her say, "I hope the b——r is dead"—I saw Pearce and Latham both—Latham was a little on the other side—Pearce was with her—Latham was seven or eight yards from the other two—I did not hear Latham say any thing at that time—it might be a quarter of an hour after—I did not come there till after they had got out of the station-house.

Cross-examined. *Q.* When you saw Latham, was he bleeding? *A.* Yes, a great deal from the head.

George Austin. I am a baker living at Uxbridge. I was in the station-house about half-past nine o'clock on Friday evening, the 9th of

March—I observed a congregation of people, and the prisoners in a remarkable manner among them—by their manner of acting, they evinced themselves as the chief conductors of a riot—the woman was urging on a number of people to do mischief, and the male prisoner was acted upon by her in an especial manner—I did not hear her say any thing, because I am deaf, but I saw enough to convince me she was the ringleader of the disturbance—I imagine there were a hundred people there—I did not observe any thing in Latham's hand, but I saw it in an attitude which made me conclude there was something in it—he was in the attitude of striking a blow at some one, unperceived by me behind the gate—I heard him say, "God strike me b—y dead, I will stab him"—I afterwards went to the station-house—this was opposite the station-house—I went for Mr. Patten, the surgeon.

Cross-examined. *Q.* Are you any thing besides a baker? *A.* I am a baker by profession—I include the business of corn-dealer—a baker is my ostensible business—I have no extra business—I do not hold forth any where—at the time I speak of, Latham was bleeding—I did not notice whether it was a great deal—I remarked a disfiguration on his head.

MARY GRENVILLE. I am the wife of Joseph Grenville, a brazier, living at Uxbridge. I was near the station-house on Friday night, the 9th of March—I saw the female prisoner in the street, by the station-house, about three yards from the gate—she and two more were jumping at the gate to break it open—I saw the male prisoner come out at the gate—Clements patted him on the back, and another, but I did not observe the other—she said, "You b——r, I have *pluck* enough to release the whole of you"—she tucked up the sleeves of her gown, and challenged to fight anybody.

Cross-examined. *Q.* What are you? *A.* The wife of John Grenville—it was when they came out that she patted Latham on the back.

SOPHIA GROOM. I am the wife of Edward Groom, of Uxbridge. On this Friday night I was disturbed, by a noise at the station-house—I got up, went towards the place, and saw Latham among other persons there—I observed where he stood, and in the course of the evening I found a knife about half a yard from where he was standing—I gave it to my husband—Murray called at my house the next morning, and I delivered the knife to him.

CHARLES JAMES MURRAY. I am a constable of Uxbridge. I produce a knife which I received from Mrs. Groom on Saturday morning, the 10th of March—I observed blood on the handle of it.

Cross-examined. *Q.* None on the blade? *A.* None—I have kept it ever since—I saw Latham standing not far from the gate—he told me he had been knocked or chopped down—he was bleeding very much—I left him there—I then went to the station-house, and understood the policeman had been stabbed—I went back and found Latham standing in the same place as I had left him—he appeared very weak from the loss of blood.

CHARLES PATTEN. I am a surgeon, and live at Uxbridge. On Friday evening, the 9th of March, I was called in to see sergeant Cooper—I went to the station-house—he had received a deep punctured wound in the fleshy part of the left leg, and a very slight wound in the thigh of the same side—the wound in the leg was a very deep wound, and appeared to be made in two directions—a triangular wound—it was extremely dangerous, attended with a great deal of hæmorrhage—the knife produced is precisely the kind of instrument that would have inflicted the wound—it appears like a half-worn-out oyster knife.

Cross-examined. *Q.* Did you examine Latham? *A.* I did—I dressed his wound, and had part of the hair shaved away to apply a plaster to it.

MR. CLARKSON. *Q.* Was it such a wound as a man might have inflicted with a constable's staff? *A.* Very likely.

(John Stevens, a shoemaker, of Uxbridge, and Mary Brown, of Uxbridge, gave the prisoner Latham a good character.)

LATHAM—GUILTY. Aged 19.—Transported for Fifteen Years.

CLEMENTS—NOT GUILTY.

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981. DENNIS RAGAN was indicted for a rape.

NOT GUILTY.

Fourth Jury, before Lord Chief Baron Abinger.

982. WILLIAM HARDWICK was indicted for unlawfully, maliciously, and feloniously assaulting Peter Thirion, on the 24th of February, and stabbing and wounding him on his neck, with intent to maim and disable him.—2nd COUNT, with intent to do him some grievous bodily harm.

MR. CLARKSON *conducted the Prosecution.*

PETER THIRION. I live at No. 9, Ray-street, Clerkenwell, and am a skin-dresser. The prisoner had been in my employ about eighteen months—I had advanced him some money in December last—that was the first time—I advanced him more again in February—he worked by the piece—he owed me some money—he owes me 10*s.* now—on Saturday, the 24th of February, I paid my men as usual—one of the shopmen who pays the men was to deduct what the prisoner owed me—about half-past seven o'clock that evening I was sitting in my parlour, and heard the prisoner ask if his master was in—I went to the door immediately, and said, "What do you want, Bill?"—his reply was, "You have sent me home without money"—my reply was, I could not make more of him than I did with the rest of the shopmen—he directly after tried to catch hold of me—I was at a distance from the half door, and he was outside it, leaning over—he tried to catch hold of me, with his left hand, by my coat, and he drew a knife from his coat pocket, where he had it inside, and got it ready to give me a stab—I rushed from him, and called out, "O my God"—I observed him put his hand inside his coat, and saw a handle as if it was a knife—he had caught hold of my coat very slightly, but I got from him, exclaiming, "My God, I am going," and ran away—I heard the half door burst open—he caught me, and as I was opening the shop door he stabbed me—I do not recollect any thing further for a few minutes till the witness Finnegan took hold of me—I was not aware that I had been stabbed for two or three minutes—I did not feel any blow at the time—I fainted away, and when I recovered I saw Finnegan holding the prisoner round the waist,—I *sung* out, "Martin, take care, he has got a knife in his hand"—I found I had been stabbed—I knew I had had a blow on my neck, but whether with the blade or handle of the knife I could not tell at the moment—I sent for a surgeon—I afterwards saw a knife which was found, and it is the very knife the prisoner drew out of his pocket—I know it by the handle—he used it in his employ—I had seen it often before—I was laid up for six or seven days—I had more clothes on than when I am at work—I had a coat, waistcoat, shirt, and flannel shirt on—I have got the coat here which I wore—there are *two cuts in the back* and one in the collar.

Cross-examined by MR. PHILLIPS. *Q.* The poor man, I believe, the *week before had buried one of* his children? *A.* I understand so—I do not

know whether he has three remaining—I cannot tell whether he was in a state of great distress—he has always had good employ from me—we were slack a few months back—he can earn from thirty to forty shillings a week, and I pay him beforehand—I did not on this occasion threaten to kick him out of the house, nor attempt to kick him.

MARY EADES. I am housekeeper to the prosecutor. On Saturday, the 24th of February, I was at home—the prisoner came and asked if his master was within, and stated that he had a child dead, and a girl lying ill—I heard that, and I heard the prosecutor afterwards exclaim, "Oh, my God, I am going"—I went out into the passage, and saw the prisoner holding the prosecutor with one hand, and the other hand at the back of his neck, and in a faint voice the prosecutor said, "He has a knife in his hand"—after it was all over I picked a knife up in the passage, and gave it to a policeman of the E division—I saw the place where the prisoner was standing—I did not see any thing in his hand—I was very much alarmed—I picked up the knife close to where I saw him holding the prosecutor.

JAMES BRANNAN. I am a policeman. I received the knife from Eades—the prosecutor's clothes were marked with blood, and cut.

Cross-examined. *Q.* Did you take the prisoner into custody? *A.* Yes, on the 15th of last March—I did not find him at home—I took him at No. 1, Black Swan-court, Golden-lane—he does not live there—I produce the knife.

MARY EADES *re-examined.* The police were sent for after it happened, and declined to take the prisoner, because they had not seen the assault—they were very abusive, indeed—that is the knife I gave to the policeman.

STEPHEN JOHN PEACH PARKER. I am a surgeon. I was called in to attend the prosecutor on the evening of the 24th of February, and found on the back of his neck a wound about half an inch long, directly over the spinal bone, and three-fourths of an inch deep—it must have been inflicted with some degree of violence—there was about three tea-spoonfuls of blood from it—he was under my care about seven days—such a knife as that produced would inflict that injury—the spinal bone would present considerable resistance to a blow of this kind.

Cross-examined. *Q.* You found only one wound? *A.* Only one.

(The prisoner received a good character.)

GUILTY. Aged 29.—*Recommended to mercy by the Jury.*—Confined Two Years.

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983. HENRY PAINE and JOHN STONE were indicted for feloniously breaking, and entering the dwelling-house of George Harding, and stealing 1 tea caddy, value 32*s.*; 1 sugar basin, value 8*s.*; 1 decanter stopper, value 6*d.*; and 3 printed books, value 3*l.*; his goods: 1 printed book, value 12*s.*, the goods of Harriet Harding: and MARY HILL for feloniously receiving the said tea caddy and sugar bason; well-knowing them to have been stolen.

HARRIET HARDING. I am the daughter of George Harding, and live with him. On Thursday evening, the 2nd of March, I left the parlour at a quarter past six o'clock—on returning, at a quarter to seven o'clock, I found half the blind open, and the articles in question stolen from the opposite side of the room—I found a decanter taken out of the cupboard, and placed on a chair; a tea-caddy, a glass sugar-basin, and five books, were taken from the sideboard on the other side of the room—the decanter was left

on the chair—the books were, the Penny Magazine, one Bible, two Prayer Books, and the History of Maple Church—the small Prayer Book, with a silver clasp, was mine—three books were my brother's—that is one volume the Penny Magazine—the History of Maple Old Church—the Bible is my father's—the books were worth 1*l.* altogether—I found the windows shut, as the line was out of repair, and it would not keep up—if thrown up it falls down again—the catch of the window was not fastened when I left the room, but the window was shut down, and the Venetian blind was shut down, and fastened with a small button, or bolt—anybody, by throwing up the sash, could open the blind—I did not notice whether the bolt at the bottom had been forced.

Thomas Lawrence, (a prisoner.) On the evening of the robbery Stone and Paine asked me whether I would go with them—I went with them to Helmet-row, and stood about there a long time—then Paine and Stone went up to the prosecutor's window—I was a little distance from them—they came, and said, "Now then, come along, it is all right"—they told me to get in at the window—I asked them what I was to give them when I got in—they said, "Any thing"—I put my foot on a bar by the side of the house, and got in at the window, and gave them out the tea-caddy and some books—the window was open, the sash *shoved* up, the blind was open—I gave them out a tea-caddy and some books—Payne took them—there was a decanter I had in my hand, but I heard somebody coming, and put it down, got out of the window, and ran away with the stopper in my hand—I met Paine a little way from the place, and we went to Stone's house, and the property was there on the table—I stopped there some time, and then went home—I went there again at eight o'clock the next morning, and in about half an hour a boy named Cox came, and he was going to the pawnbrokers, and they asked him to pledge the books—he took them, came back, and said they would not take them—Paine and Stone were both in the room at the time Cox went away—he brought them back the prisoner Hill and another young woman came in soon after, and then Mrs. Stone came in out of the country—we had not been there long before the officers came and took us into custody—I do not know that Hill did any thing—she was in the room—when the officers came Paine and Stone were gone out—they were in the room when Hill came, and she asked Stone if his mother was come home, as he expected her—Hill sells fish in Whitecross-street—the books were not there then—I do not know what had become of them—the tea-caddy was there—Mrs. Stone came in, and Paine and Stone went out to get some shavings for a dog to lie on, and the policeman came and took me and Hill.

James Brannan. I am a policeman. In consequence of information, on the 3rd of last month, I went to No. 12, Graham's Buildings, Twister's-alley, St. Luke's, to a front room—I saw Hill, Lawrence, and another female—Hill and another female were sitting on a bed—a young man sitting between them endeavoured, as I thought, to conceal something underneath the bed clothes—I proceeded to search towards the bed—the prisoner, Hill, said, "That is Mrs. D.'s"—"What is?" said I—"The box," said she—I asked her what box—the other female replied, "The work-box"—on searching the bed, I found the caddy and sugar basin inside it—I also received a boot from Lawrence, which corresponded with a mark on the chair in Mr. Harding's parlour—*after he had* been discharged by the Magistrate, I saw *something which induced me to* take him into custody again—I saw him *nudge the other prisoners,* and very anxious to get away—winking at them

—I followed him, to his lodgings in company with Davis, and asked him to let me look at his boot—he said, "No," that he was discharged by the Magistrate, and I had no business to interfere with him—I said, "Just allow me to look at your boot, if you please"—he held up his right foot—I said, "Let us look at the other"—it is a remarkable boot—some of the nails are out of it—I got it off, and took it to Mr. Harding's—the nails corresponded with the marks on the chair—I came back, and cautioned him of the impropriety of saying any thing—he said, "I will tell you about it: I have been put into the window by Paine and Stone, and I handed out the tea-caddy and books in question"—the Magistrate committed Paine and Stone on the evidence of the witnesses, Peck and Chetwood—Lawrence was discharged at first, but afterwards admitted as evidence for the Crown.

Cross-examined by Mr. DOANE. *Q.* Was there a box in the room? *A.* Only this caddy.

MATTHEW PEEK. I am a policeman. On Saturday, the 3rd of March, in consequence of information, I went to the bottom of Twister's-alley, and took Stone into custody—I told him it was for the tea-caddy and books which we had found at his mother's house—he said he bought the caddy in Petticoat-lane for 2*s.*, and knew nothing about the books—on Monday, when he was being taken to the Magistrate, I showed him the caddy under the servant's arm, and he said that was the tea-caddy he had bought.

JOSEPH PATRICK. I am a pawnbroker. On Saturday, the 3rd of March, the prisoner, Stone, offered a prayer-book with silver clasps, and lessons bound in it—the foreman asked who it belonged to—I was there—he said a person at his house—we did not think ourselves justified in stopping it, because it did not exactly answer the description given in the morning, and knowing him as a customer, we asked him to fetch the person it belonged to—he did not return—he did not leave the book with us.

ELIZABETH DOWNS. I live in Graham's-buildings, Twister's-alley. On the 26th of February, the prisoners came into the lower room—I saw them move some furniture, and saw Hill and Payne two or three times in the course of the week backwards and forwards, but I saw nothing of the robbery whatever.

PHILIP CHEETWOOD. I am a policeman. From information I received, I took Paine into custody, on the 3rd, at the corner of Twister's-alley—I asked if his name was not Paine—he denied it, and said it was Harris—I asked why he should deny it, his name was Paine—he said, "No," it was a nick name he had—he denied it till the charge was taken.

Cross-examined by MR. PHILLIPS. *Q.* Then it is not true as Lawrence has said, that Paine and the rest were taken in one room? You took him in the street? *A.* I did.

EVAN DAVIS. I am a policeman. On the 3rd of March, Sergeant Brannan sent for a constable—I went with him and took Hill and Elsley—Elsley was discharged—I took them for concealing the tea-caddy in the bed clothes.

GEORGE HARDING. That is my tea-caddy—(*looking at it*)—I know it again—the books have not been found.

STONE†—GUILTY. Aged 18.—Confined One Year.

PAINE—NOT GUILTY.

HILL—NOT GUILTY.

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984. MARY LIPSCOMB and SARAH PITHERS were indicted for feloniously breaking and entering the dwelling-house of John

Jones, on the 17th of March, and stealing therein 1 towel, value 6*d.*; 1 dice-box, value 1*s.*; 3 dice, value 3*s.*; 1 canvas bag, value 1*s.*; and 1 unmade shirt, value 2*s.*; the goods of David Lloyd Jones: 2 sheets, value 14*s.*; 1 counterpane, value 1*s.*; 2 caps, value 6*d.*; 1 pair of ear-rings, value 8*s.*; 1 ear-ring, value 5*s.*; 1 pair of bracelets, value 5*s.*; 12 window curtains, value 18*s.*; 1 bread basket, value 1*s.*; and 2 pillow-cases; the goods of the said John Jones.

John Jones. I am a baker, and live at No. 3, Lisson-street, in the parish of Marylebone. On the night of the 17th of March I went to bed at twelve o'clock—the door was fast then—I got up at eight o'clock in the morning, and found it broken open, and missed the articles stated—some belong to me, and some of them to my son, David Lloyd Jones—the bracelets, ear-rings, and linen belong to me—the dice-box being gone first caught my attention—I then found a bag of dirty linen emptied and gone—I have found since a shirt cut out ready for making, which was on a chair in my house that night, and a counterpane which it was wrapped in—I found some of these things at No. 8, Providence-place, and some at No. 91, Salisbury-street—I knew the prisoners by seeing them come to the next room to me a few days before—they used to come up and down stairs, as Lipscomb's sister lodged there—the house is let out in lodgings—they had a room of their own, and I have a room—I have only two rooms in the house—the landlord does not live there—I missed the things from my two rooms—both the prisoners used to come to the house—I left my key over the door when I went out.

David Lloyd Jones. My father and I went out on Saturday night—I came home before my father, and missed a dice-box about twelve o'clock—my father came home about half-past twelve o'clock—I told him I missed the dice-box—we missed nothing else that night—the next morning I missed a towel, marked with my name—I went out on the landing, and missed a canvas bag and a lot of other things—suspicion fell on the people in the next room—my father has a latch-key of the street door—the rooms are locked up separate from the rest of the house—no other lodgers go into his rooms.

Mary Ann Pieman. I live in this house. On Saturday evening I went up stairs to Mrs. Sawyer, who was going to remove, to bid the children good bye, and met Lipscomb on the stairs—she came up—I said, "Good bye, Mary"—she said, "I want to speak to you"—I said, "Make haste, for my mother wants me"—she said, "Do you know where old Jones keeps his key?"—I said, "I believe he puts it over the ledge of the door"—I came down again to my mother—I was up stairs nearly all the evening, and saw the prisoner Lipscomb come and offer Mr. Spinks sixpence—Mrs. Spinks said, "Your sister had better come, we will have it all settled together—I then saw the two prisoners go over the way with two bundles, and I saw no more of them—I did not see her take Jones's key—I saw her come out of Mrs. Spinks's passage soon after Mr. Sawyer's things were moved out of her room—I then saw the two prisoners come out with two bundles—I did not see them take the bundles into any shop—I saw them cross over the way with them.

Lipscomb. *Q.* Were not you in the room? *A.* No; I know nothing about it—I never went into the room at all.

William Spinks. I live in the same house as the prosecutor. On the night of the robbery Lipscomb brought me 2*s.* 6*d.* out of 3*s.* which her

sister, Mrs. Sawyer, owed me—I refused to take it—I saw her go over the way with two large bundles after her sister had moved all her things out of the house—she went across the street from the street door—the other prisoner was with her, and she had a bundle also.

JURY. *Q.* How long was it after her sister's things were removed? *A.* This was between eight and nine o'clock at night, and her sister moved in the afternoon.

THOMAS HENRY THOMPSON (*police-constable D* 4.) On the 18th of March I went to No. 8, Providence-place, and went into the front parlour, and found the prisoner Pithers and her brother there—I said I had come to search the place—the man Pithers asked me what for—I told him for a robbery in Lisson-street, where Mrs. Sawyer had lived—he said I might search the place; he knew nothing about it—I proceeded to search, and in a trunk I found a shirt unmade—I had Mr. Jones and his son with me—the son said it was his—I then found a counterpane, and the elder Jones owned that—while I was searching the box, the man said he knew nothing of what was in the box, and was quite innocent—I told the prisoner Pithers I must take her to the station-house—in going along I asked her where Mrs. Sawyer had gone to live—she said, "At 91, Salisbury-street"—I left her at the station-house, and proceeded to No. 91, Salisbury-street with the two Joneses—I went to a room—Pithers told me it was the top room, and they rented the floor—I went into the room, and found Mrs. Sawyer and the prisoner Lipscomb there—I asked Mrs. Sawyer if it was her place?—she said, "Yes"—I said I had come to search it—she said, I was welcome to search it—I asked if she knew what I was to search for—she said she did not—I said a robbery was committed in the house she had moved from—Tate, my brother officer, was with me—I left him there, and I went into the back room, and found three sheets behind the door, which Jones claimed—I found two pillow-cases and two caps—I then went into the front room and told Mrs. Sawyer what I had found—she said she knew nothing about it, for the things I had found were brought there by Lipscomb to be washed—Lipscomb was present—I went to a cupboard in the front-room, and found the dice-box, which Jones's son claimed—I took a towel off the cupboard-door with Jones's name in full on it—I said to Mrs. Sawyer, "I must take you, and also your sister"—I said to Lipscomb, "Come, give me all the duplicates you have about you"—she said she had got none—I said, "Give me what you have got"—she put her hand into her pocket, and gave me a little box—I opened it, and found three dice in it—in taking her to the station-house, I told her she had got into a mess—she said she was not the first that went into the room, that Mary Ann Pieman went into the room first with a light, and took the trinkets out of a box behind the door—I have not found any trinkets—Mrs. Sawyer was discharged, and also the man Pithers—the house I searched belongs to the man Pithers—he said he rented the room—I asked him if the prisoner was his wife—he said, no, she was his sister, and she lived there with him—when I found the sheet, she claimed it as hers—she said nothing about the counterpane—when Mr. Jones claimed it, she cried.

(*Property produced and sworn to.*)

Lipscomb's Defence. I know nothing about it—my sister is more to blame than I am.

LIPSCOMB—GUILTY. Aged 19. } of Larceny only.
PITHERS—GUILTY. Aged 17. } Confined Six Months.

Third Jury, before Mr. Recorder.

985. JOHN FENTON was indicted for stealing, on the 12th of March, 1 pair of trowsers, value 5*s.*; 1 waistcoat, value 4*s.*; 1 pair of shoes, value 1*s.*; and 1 handkerchief, value 1*s.* 6*d.*; the goods of Edmund Lathbury.

EDMUND LATHBURY. I formerly lodged in Little George-street, Hampstead-road—the prisoner lodged in the same room. On the morning of the 12th of March, when I got up, I missed these clothes, which I had worn the previous day—the prisoner was then gone, and his clothes left behind—I afterwards saw him in custody, with all my things on.

FERDINAND JOHNS. I live in Little George-street, and keep the house. I found the prisoner at the Cock public-house, Brook-street, New-road, and charged him with stealing these things—I gave him to the constable.

WILLIAM BARNETT (*police-constable S* 25.) I saw the prisoner at Mr. Johns's, and asked him whether he took the clothes in mistake—he said no.

(*Property produced and sworn to.*)

GUILTY. Aged 18.—Confined Six Months.

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986. ROBERT GORDON was indicted for stealing, on the 24th of March, 1 watch, value 5*l.*; and 1 chain, value 1*s.*; the goods of Elizabeth Barraclough.

ELIZABETH BARRACLOUGH. I live in Curzon-street, and am single. On the 24th of March, I was in my kitchen, and Mrs. Lenel, who works for me, was in the parlour—she came to the head of the stairs, and gave me notice that my apartments which I had to let, were inquired after—I went up, and saw the prisoner at the parlour door—while I was telling him what I had to let, Mrs. Lenel asked me if I had my watch—I said, "No, I have not, it is on the mantel-piece"—she said, "It is not there"—I looked and missed it—I seized the prisoner by the collar, and said he had it—he said he had not—I said, "You have, and shall not go till you give it to me"—I pulled him into the parlour, and called Mr. Dungey, who was putting down an oil-cloth—the prisoner then put his hand into his pocket, put the watch on the table, and said, "There is your watch"—I said, "You have put it there"—he said, "I have not"—Mr. Dungey came up, and secured him.

WILLIAM DUNGEY. I live in Little Chelsea, and am a cabinet-maker. I was in the kitchen, and heard the prosecutrix call out—I came up, and she said, "This man has stolen my watch," and said, "Give it me directly," said, "Come, deliver it up directly"—I saw him take the watch from some part of his person, and put it on the table.

(*Property produced and sworn to.*)

Prisoner's Defence. I admit having taken it into my hands to inspect it; the reason I did so was, because it was similar to one I had about three and a half years ago.

GUILTY. Aged 35.—Transported for Seven Years.

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987. LUCY PATRICK was indicted for stealing, on the 12th of March, 1 table-cloth, value 1*s.*; and 1 sheet, value 4*s.*; the goods of Nathaniel Fountain, her master.

NATHANIEL FOUNTAIN. I keep the Marquis of Granby public-house, St. Pancras. The prisoner lived with me for about three weeks—I was present when my wife asked the prisoner to produce the sheets of her

and a table-cloth which had been given to her, and she said she had pledged them.

JAMES PORTER (*police-constable E* 85.) I was at Mr. Fountain's on Sunday evening, after the 12th of March, when the prisoner was accused of another robbery in the house, and she consented to Mrs. Fountain searching her—she said she was not in the habit of pawning, and had no duplicates about her—she afterwards gave me her pocket, and I found four duplicates—one was for a sheet, and another for a table-cloth.

JAMES MILLS. I am shopman to Mr. Attenborough, of Charlotte-street. I produce a sheet, pawned on the 12th of March, in the name of Ann Patrick—I do not know who by, but I gave the ticket which has been produced for it

NATHANIEL FOUNTAIN *re-examined.* This is my sheet.

GUILTY. Aged 37.—Confined Six Months.

(There was another indictment against the prisoner.)

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988. JOHN HARRIS was indicted for stealing, on the 24th of March, 3 pewter pots, value 2*s.* 6*d.*, the goods of George Caslake.

THOMAS JENNINGS. I am potman to George Caslake, at the Boston Arms, Preston-street, Regent's-park. On the morning of the 24th of March, I saw the prisoner with a bag—I followed him up Park-terrace—he ran as soon as he saw me, and I after him—he dropped the bag—I caught him—he said, "Don't give me in charge, if you please"—I gave him to the policeman, brought him back, picked up the bag and the pots in it, which belonged to my master.

Prisoner. As I went up Preston-street, a young man put a bag into my hand, and said, "Here, young man, here is something for you"—I heard a cry of "Stop thief"—I immediately ran after him, and the young man caught me—I said, "Are you going to blame me for it?" *Witness.* He said nothing about another man—he owned the bag, and said they were the first pots he had ever stolen.

THOMAS KENNY (*police-constable D* 46.) I saw Jennings running after the prisoner—he came in a direction from the Sovereign public-house—I saw the bag produced, and asked him if it was his—he said it was—I asked how the pots came in it—he said they were the first pots he had ever stolen.

(*Property produced and sworn to.*)

GUILTY. Aged 24.—Confined Three Months.

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989. DANIEL WILLIAM M'LAUREN was indicted for stealing, on the 31st of March, 10 handkerchiefs, value 5*s.*, the goods of Gilbert Orme.

GEORGE COLLYER (*police-constable E* 38.) On the 31st of March I saw the prisoner running down Great Russell-street, from the prosecutor's shop, with a bundle under his arm—I stopped him, and asked what he had there—he threw the bundle down—I picked it up, and took him back to the prosecutor's shop, and he identified ten handkerchiefs which were in the bundle.

Prisoner. It was given into my hands by a carroty-headed young man. *Witness.* He was alone, and not ten yards from the shop when I stopped him—if there had been another young man I must have seen him, for I saw the prisoner come from the shop.

GILBERT ORME. I am a linen-draper, and live in Little Russell-street,

Covent-garden. This piece of cotton handkerchief is mine—it was secured by a cord to my shop—it was half-past seven o'clock when I last saw it—the prisoner was stopped ten or a dozen yards off.

GUILTY. Aged 17.—Confined Three Months.

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990. JOHN GREGSON BUCKLEY was indicted for bigamy.

WILLIAM BUCKLEY. I live at the Metropolitan Asylum, Ball's Pond; the prisoner is my son. I was present when he was married to Eliza Wild Noble, at St. Dunstan's-in-the-West, on the 25th of December, but I cannot ascertain the year—it was about nine or ten years ago—they lived together about two years in my house—I saw her alive last Monday.

Cross-examined by MR. PAYNE. *Q.* Where did they live after marriage? *A.* I believe along with her father and mother, before they came to be with me—my son has been a soldier, and was at the battle of Waterloo—he was an assistant officer of Excise ten years—I have seen him with Jane Harman, his second wife, at times, but her conduct was most horridly bad—I cannot tell why the first wife and he parted—I do not recollect their living together after the two years—not constantly.

RICHARD COWDERY. I am parish clerk of St. Dunstan's-in-the-West. I produce the marriage register for 1828—on the 25th of December in that year, I find John Gregson Buckley and Elizabeth Waite Noble were married by banns—William Buckley is witness to the marriage.

WILLIAM BUCKLEY *re-examined.* That is my signature in the register, and I find my son's writing here.

JANE HARMAN. I live in Stepney-green workhouse. I became acquainted with the prisoner in 1834—he represented himself as single—I married him on the 16th of August, at Kennington New Church, and lived with him several months—I have had a child by him—he left me very heavy with the baby, without any habitation—I was obliged to go on the parish—he left me destitute, and what clothes I had he took from me, without leaving me even a pair of stockings, except what I had on—I flew in the face of my father and friends and everybody for him, when his conduct was bad, and then I had nobody to go to—the parish found he was a married man.

Cross-examined. *Q.* Did not you live with him before you were married? *A.* I cannot say I did not—I did not press him to marry me, it was his own inclination—I had no property—my father did not turn me out of doors—I lived with him in the country—we came to town together, and lived in the Borough—he has deserted me since the 10th of October—he brought me up from the country the last time, and left me in a coffee-shop—he had ill-used me in the country, and knocked me down several times—I have had bruises on my stomach from his ill-usage—he took me to a coffee-shop in town—I went away for less than twenty minutes, and when I came in I found him gone out—I was married before the child was born—my conduct was not violent towards him—that I will swear—he did not tell me before he married me that he was married to another person—I did not know his wife was living—he said at the station-house that I knew of it, but I did not know it—I have never said he told me he had another wife, and that I thought he was joking—I had not the least idea of it—I was married before the child was born, but that child is dead.

COURT. *Q.* How old were you when he introduced himself to you? *A.* I am now twenty-seven—I was then about twenty four—he made no

promise of marriage when I first became acquainted with him—he said, I must trust to his honour, and he certainly performed what he said he would.

MR. PAYNE. *Q.* You do not know of his seeing his first wife while you were with him? *A.* No; but I have passed the door where his first wife lived with him, but I did not know she lived there.

ELIZA WIGGINS. I live in Kennington-oval. I was present at the marriage between Harman and the prisoner, on the 16th of August, 1836, at St. Mark's church, Kennington.

WILLIAM EASTER. I am parish clerk to the district church of St. Mark, Kennington. I produce the register—I find a marriage between John Buckley, bachelor, and Jane Harman, by banns—I recollect Wiggins being there—she has signed the register.

GUILTY. Aged 40.—Confined Twelve Months.

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991. RICHARD SKATES, MARY ANN M'CARTY, MARY CARROLL, and MARY MORGAN, were indicted for stealing, on the 23rd of March, 4 handkerchiefs, value 20*s.*, the goods of Thomas Foster; and that Mary Ann M'Carty had been before convicted of felony.

SAMUEL WARD. I am shopman to Thomas Foster, a linen-draper, in Oxford-street. On the afternoon of the 23rd of March, I saw the three female prisoners in the shop, about four o'clock—Carroll and Morgan first came in, and asked to look at some silk pocket-handkerchiefs—I showed them some—they objected to the price, and went out—they came in again in a few minutes in company with M'Carty—they bought one handkerchief between them—it came to 3*s.* 6*d.*—M'Carty gave me the money for it, and they left the shop—in consequence of information which I received from a person named Lathart, I missed from the windows two pieces containing four handkerchiefs, one three, and the other a single handkerchief.

JOSEPH DAVIS LATHART. I live in Bath-place, Bayswater. On the afternoon of the 23rd of March I saw the four prisoners together in Oxford-street—I followed and saw them go into several shops—M'Carty and Morgan went into the first shop, Carroll waiting outside—the next shop they went to, the three women went in, and the man remained outside—they went down Oxford-street, by Foster's shop, to Mr. Taylor's—I met a policeman, and told him my suspicions—we followed on—they met some more companions, and went over to a public-house, after which they left their companions—they went over to Mr. Taylor's, the three women going in, and the man remaining outside—in a few minutes Carroll came out with something bulky under her cloak, and turned up Hanway-yard—the man followed her close up—I did not see M'Carty or Morgan in Foster's shop—I saw three loose handkerchiefs drop from M'Carty at the station-house, and a red one from Morgan—I met them, I suppose, after they had been into Foster's shop.

Skates. I was with three young men, not with these women. *Witness.* He was with the three women—they went westward, then came back, and went eastward.

COURT. *Q.* Was he joining them from time to time? *A.* Every time they came out of the shops he joined them—I was watching them for about three quarters of an hour—I counted five shops that they went into.

JOHN SMITHERS (*police-constable C* 71.) I saw the three prisoners at

Mr. Taylor's shop—the male prisoner was standing outside—I saw Carroll come out with something bulky under her cloak—Skates followed her down Hanway-yard—Leonard laid hold of Carroll, and a roll of serge fell from her—I secured Skates—they were looking at table-cloths, at Taylor's—I thought M'Carty was concealing something under her shawl—I took Skates back into Mr. Taylor's shop—he asked me where I was going to take him—I said, "To the station-house"—he said he should not go—he tried to get away from me, and threw me down an area at the station-house—I saw this handkerchief fall from one of the three women.

WILLIAM BALSTER. I am shopman to Henry Taylor. I saw the three female prisoners in his shop—they asked to look at some table-covers—two of them came up to the counter, and one stopped at the door—I saw no more of them then—the two looked at table-covers, and in a few minutes the policeman and another man brought in the male prisoner and the other female—it was about half-past six o'clock.

Morgan. I did not drop the red handkerchief. *Witness.* She did, and M'Carty dropped her apron over it.

SAMUEL WOOD *re-examined.* These handkerchiefs are the same pattern and quality as we lost from the shop—I believe them to be ours—no one was in the shop when the three prisoners came in.

Skate's Defence. I was in Oxford-street, with three young men—I went into a public-house, and met these young women—they all went in to have something to drink, and came out—the three women went one way, and I the other—the policeman came and *shoved* me into the shop, and afterwards crossed the road, and said he was going to take me—three more young men were in company with the women, as well as myself—I never saw the women before that day.

WILLIAM FEATHERTON (*police-constable N* 7.) I produce a certificate of M'Carthy's former conviction, which I got from the office of the Clerk of the Peace for Surrey—I was present at her trial, in May, 1837—she is the person who was then convicted—(*read.*)

M'Carthy's Defence. I was innocent of it—my husband promised a boy 10*s.* to come against me on that occasion. *Witness.* I know of nothing of the sort—I have no reason to believe it was a conspiracy—she was convicted in the name of Hamilton.

SKATES*—GUILTY. Aged 23.		Transported for Seven Years.
M'CARTY*—GUILTY. Aged 23.		
CARROLL—GUILTY. Aged 16.		Confined Twelve Months.
MORGAN—GUILTY. Aged 16.		

NEW COURT.—*Thursday, April 5th*, 1838.

Fifth Jury, before Mr. Common Sergeant.

992. WILLIAM TOWNSEND was indicted for stealing, on the 6th of March, 1000 bricks, value 1*l.* 10*s.*, the goods of Thomas Grissell and another.

JOHN CURNOCK. I live at No. 19, Wharf, Paddington, and am a carman. I contract with Messrs. Grissell and Peto, to cart bricks to the Western Railway, from the wharf—the prisoner was my carter—on the 6th of March, it was his duty to drive the bricks down the Harrow-road, to the

Red Lion, Westbourne-green—he had no business in Horrox-street—that is directly out of the way.

JOHN DRURY. I live in Horrox-street, Marylebone, and am a labourer employed on the Great Western Railway. I know Curnock's carts—on the 6th of March, at six o'clock in the morning, I saw the prisoner and another man in Horrox-street, each with a cart loaded with bricks—there was a butcher's cart against a stable gate, and they were shifting it away that they might shoot the bricks—Townsend first shot his load of bricks, against the stable door, and then the other man shot his bricks down—I know they were both Curnock's carts—I took up one of the bricks in my hand, after they were shot out, and there was the letter A on it, which is the same sort of brick that were used on the works—I have no doubt of the prisoner being one of the men—the carts were loaded with five hundred each—I told my foreman of it, and brought him to the place where the bricks were shot.

Cross-examined by MR. PHILLIPS. *Q.* When did you tell your foreman? *A.* I did not see him till the Wednesday, and I told him between nine and ten o'clock—I was never taken up—I was taken up on a false case—I did not swear I was never taken up—I did not get any thing done to me—it was for stealing some lead—I was taken to Marylebone-office—I was only examined once—there was another young man and me together—he took it from his father—I have never been at Marylebone police-office but that once—I have been there many times to see a friend, when there were bits of *rows*—I will not swear I have not been there twenty times, or a hundred times—I never was under any charge but the lead—I swear that I was never charged with stealing any thing else, neither there nor any where else—I know the brick bridge in the Harrow-road—I cannot tell how far that is from Horrox-street.

JAMES LAUGHTON. I am foreman to Thomas Grissell and Samuel Peto, they are doing the work of the Great Western Railway. On the Wednesday, I was informed of something by Drury—I went to Horrox-street, and saw some bricks there, but Sidwell's cart had taken the greater part of them away—I believe them to belong to my employer—they were marked with the A—I have no doubt they were theirs.

RICHARD ROADKNIGHT (*police-constable T* 120.) I took the prisoner at Paddington—I told him it was for stealing some bricks—he said he knew nothing about them—in coming along, he said the men told him the other man was gone away, and asked him if he was going—he said no, he should stand his ground—I then went to see for Sidwell, but could not find him.

Cross-examined. *Q.* Have you not kept back deliberately what was in favour of this man? *A.* He said he was innocent—he might have said a few words more—he said in the station-house, there were two men to prove that they saw him at work on the railway that morning at six o'clock—I did not think of that at the time, or I should have given it—he said both that a man and two men on the second bridge on the Harrow-road saw him on the works at six o'clock in the morning.

MR. PHILLIPS *called*

CHARLES SHAW. I am an excavator. I live at No. 2 Wharf-road—I have come from the Chelsea works to-day—I remember Tuesday morning, the 6th of March—I saw the prisoner at work about two or three minutes past six o'clock—I heard the clock strike—I do not know Horrox-street—the prisoner was driving a cart-load of bricks over the brick bridge—a

boy was with him—another horse was drawing him over the bridge—I remember the day, because it was the first morning we were to go home to breakfast—we had our breakfast before we went out on other mornings—I call it the brick bridge, because there is another bridge which is wooden.

GEORGE SHELVEY. I am a son of the prisoner's wife by a former marriage. I was with him on Tuesday, the 6th of March—I looked after the other horse—the prisoner called me up at ten minutes before six o'clock—I was at the brick bridge two or three minutes after six o'clock—when I was taking the horse out of the stable the church clock struck six o'clock—Horrox-street is very near three quarters of a mile from the brick bridge—the prisoner went on over the bridge, after I took the horse off—Shaw went over the bridge with my father—I saw Jones there.

JOHN JONES. I am an excavator on the road. I was with Shaw on this Tuesday morning—it was the first morning we went out at six o'clock to work—before that we used to go at seven o'clock—I did not hear the clock strike—I saw the prisoner on the brick bridge—the boy was with him. NOT GUILTY.

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993. FREDERICK SAUNDERS was indicted for stealing, on the 8th of March, 1 shell, value 30*s*., the goods of the Trustees of the British Museum, his masters.—2 other COUNTS, stating it to belong to other persons.

MR. ADOLPHUS *conducted the Prosecution.*

THOMAS CLEMENTS. I am an officer of Marlborough-street. Mr. Childers, of the British Museum, put this shell into my hands—I took the prisoner in charge—I searched his lodgings, but found nothing that was identified by Mr. Gray who was present.

JOHN EDWARD GRAY. I am assistant in the Natural History department, having charge of the shells. The prisoner is an attendant in the British Museum, in the service of the Trustees, and has been so ten or twelve years—I purchased a shell similar to this at a sale, in 1836, for the Museum—I had seen it about two or three months ago—I do not swear to the identity of the shell; but Mr. Sowerby took a drawing of it, and I took the shell out to compare it with the drawing—I put it back again—that shell is not there now—there has been no sale of shells from the Museum.

HENRY KAY EVANS. I am a dealer in curiosities, and live at No. 282, High Holborn. The prisoner has brought me several shells to sell—on the 12th of March he brought me three—I think I should know them again—this seems to be one of them—it is such a shell as he brought—I sold it to Mr. Sowerby—I inspected it very little—I placed it in my window—I am sure it was the same I sold to Sowerby—I had it about three days—I gave 6*s*. for the three shells.

Cross-examined by MR. PHILLIPS. *Q*. You are a good judge of shells? *A*. No, not particularly—I give what I think a fair value—I have some hundreds—I can swear this is the one I bought of the prisoner, from having placed the three in a triangle in the window—I have always said so—I did say I bought so many shells I could not tell who I bought it of, as I did not wish to get the prisoner into trouble, and he called on me to say he was about being promoted—I said I did not know who I bought it of—I never said so since I had to attend Marlborough-street—Mr. Childers called on

me, and I wished to evade it, as the prisoner was about being promoted—I never said it to any one else but Mr. Childers—that I swear, and to Mr. Sowerby—he called at the same time—I considered these two gentlemen one—I think they called on me a week after I bought it of Saunders—that was the first application that was made to me about the prisoner—he called two days before Mr. Childers—I think Mr. Childers called on Friday morning—I told them I did not know who I bought it of, as I did not wish to get the prisoner into trouble, not expecting it amounted to felony; and, more than that, the prisoner told me he bought it of a Frenchman—I did not tell that to the Magistrate—I never bought any thing of a person who was transported for selling it to me—they wished me to call at the Museum, and go round to see any one that I had bought of at any time, and I thought it best to say the truth—I never remember purchasing two bottles of indigo of a boy—I cannot recollect it—I never bought two bottles of tregonium in my life—I know what you allude to—I never was up at any public office in my life—I never heard of a boy being transported for any tregonium which I bought of him.

MR. ADOLPHUS. *Q.* Had you known the prisoner for some years? *A.* Yes—it was at his request that I made the statement I have done—he said he was about being promoted, and he did not wish them to know it—I called on Mr. Childers half an hour after, and told him the whole truth—I was examined before Mr. Dyer, and what I stated was taken down—I am certain that the shell I bought of the prisoner was so set apart that I can be certain it was the same—I placed the three in a tray.

GEORGE BRETTINGHAM SOWERBY. I purchased this shell of Evans, on Monday, the 19th of March, with four or five others—I saw another shell in the window, and then I went in and bought this one, giving 3*s.* for it—my daughter had made a drawing of it before, when it was in the Museum, and I knew it not only by the particular marks of the shell, but there being a small hole on one side of it, which I remembered from the first time I saw it—I made a communication to the Museum—I believe I am considerably versed in shells—I never saw such a one as this before—I consider it worth 30*s.* at least.

Cross-examined. *Q.* At the time you first went in and saw it, was Evans in the shop? *A.* No, I saw him in about a minute after—I did not ask him any question about it then—he did not say any thing at all about where he had it, or how long—I asked the price—he said 3*s.*—I went again on the second day, with Mr. Childers—the prisoner had not been taken up at that time—Evans said he bought so many, he could not tell who he bought it of, or words to that effect.

MR. ADOLPHUS. *Q.* How long had you seen it before you bought it? *A.* I should think twelve months—it did not immediately strike me as being the shell—when I first saw it I was very much pleased, as it was an opportunity of adding a shell to my own collection, and when I got it home I saw the small hole in it.

THOMAS CLEMENTS. I was present at the examination of the prisoner before Mr. Dyer—I cannot say that I saw Mr. Dyer sign the deposition—I know his hand-writing—I was examined the same day and the same time—the prisoner refused saying any thing.

JOHN EDWARD GRAY *re-examined.* I think Saunders was informed of the loss of this shell after it was in Sowerby's possession—I cannot tell.

NOT GUILTY.

994. CHARLES SUGGETT was indicted for stealing, on the 13th of March, 4 feet of leaden pipe, value 1*s.*; and 1 metal cock, value 1*s.*; the goods of Thomas Davies, and fixed to a building.

THOMAS DAVIES. I keep the Royal Oak public-house, Princes-street, Portman-market. No. 5, Princes-street belongs to me—I had four feet of leaden pipe and a metal cock there—I had seen it fixed a few days before it was stolen—this is the cock and pipe, I am certain—I fixed it myself.

PATRICK HAGGERTY. I am a policeman. I was on duty in Princes'-street, Portman-market, on Tuesday night, the 13th of March, and found No. 5 was open—I shut the door to—just about ten o'clock, I saw the prisoner come out—after that I asked him if he belonged to the house, he said, "Yes"—I said, "Are you sure?"—he said, "I don't exactly belong to it, there is a female there I go to see"—I said I will take you back to see—he said, "Do you think I am a thief?"—I searched him and found this pipe and cock in his pocket.

(The prisoner pleaded poverty.)

GUILTY. Aged 22.—Confined Three Months.

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995. RICHARD GIFFORD was indicted for stealing, on the 2nd of April, 1 bottle, value 2*d.*; and 1½ quartern of gin, value 4*d.*, the goods of William Chaplin.

CHARLES WARLAND. I am porter at the Swan-with-two-necks, Lad-lane. I had a parcel on the 2nd of April directed to Slatcher, of Daventry, by the Birmingham coach—I laid it on the counter, and did not know what it contained—I saw it safe about eight o'clock, or within two or three minutes—the coach was to start at eight o'clock.

Cross-examined by MR. PAYNE. *Q.* What was it? *A.* A paper parcel—this is it—(*producing it*)—we did not know the contents.

THOMAS COOK. I am a book-keeper. I booked this parcel to go by the coach—I opened it at Guildhall—it contained a bottle and some gin.

GEORGE EDWARDS. I am horse-keeper at the Swan-with-two-necks. A few minutes after eight o'clock, I saw a parcel behind the back of the coach-wheel—the prisoner dropped a red handkerchief upon it, and then took it up, parcel and all together—he made away with it—I could not stop him—I halloed "Stop thief"—that is the sort of parcel he picked up.

Cross-examined. *Q.* Where were you? *A.* I was going across the road, about two yards from it—I saw no one but him against the parcel—it all happened in less than a minute.

GEORGE DOUGLAS. I live in Pink-row, and am a shoe-maker. I heard a cry of "Stop thief"—I saw the prisoner running, and drop this parcel—I took it up.

Cross-examined. *Q.* Where was this? *A.* In Lad-lane—I lost sight of the person—I heard the cry, turned round, and the prisoner was close behind me—I knew him directly I saw him again—I was going the same way—he was coming after me—I was near the top of Lad-lane—he turned up Wood-street, and ran up Maiden-lane.

WILLIAM LLOYD. I live in Angel-street. I was in Lad-lane, and saw the prisoner running—I made a snatch at him, but could not hold him—I pursued him to Maiden-lane, and the policeman caught him.

Cross-examined. *Q.* What made you sure of him? *A.* I had a very good sight of him—I had him in my arms, and I never lost sight of him until he

was in the police—I went in search of the parcel, and found it in the witness's hand.

WILLIAM WIGGINS. I live in Wood-street. I heard a cry of "Stop thief," and saw the prisoner running very fast—I followed him—he took up the tail of his coat, and ran on until the policeman stopped him—I saw him knock the policeman down.

CHARLES WALLER (*City police-sergeant No.* 8) I was in Maiden-lane, and saw the prisoner running up the street, calling "Stop thief;" but he being the first, I said, "You are the thief"—he knocked Crawley down who was with me—I seized him—we all three went down, and I took him back.

Cross-examined. Q. Did you take any money from him? *A.* No; I searched him—there was no money taken from him.

THOMAS COOK. I am book-keeper at the Swan-with-two-necks. Mr. William Chaplin keeps the office.

Cross-examined. Q. Does it belong to Mr. Chaplin alone? *A.* Yes; he has no partner in London—he is the sole proprietor of the booking-office and yard in London.

GUILTY. Aged 29.—Confined One Year.

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996. JAMES GREENHALL and WILLIAM SMAILE were indicted for stealing, on the 29th of March, 1 box, value 1*l.*; 1 card-plate, value 1*s.*; 1 miniature, value 10*s.*; 3 pairs of spectacles, value 1*l.* 5*s.*; 1 pair of spurs, value 1*s.*; 3 purses, value 5*s.*; 24 foreign silver coins, value 1*l.*; 1 opera-glass, value 5*s.*; 4 snuff-boxes, value 5*l.*; 3 pocket-books, value 5*s.*; 11 books, value 10*s.*; 1 card-case, value 1*s.*; 1 wafer-stamp, value 5*s.*; 2 pencil-cases, value 2*s.*; 3 seals, value 10*s.*; 1 piece of pebble, value 1*s.*; 1 cork, value 10*s.*; 1 minute-glass, value 1*s.*; 1 box of whist-markers, value 1*s.*; 8 counters, value 1*s.*; 20 pens, value 1*s.*; 1 kettle-holder, value 1*s.*; 1 cross of the order of the Bath, value 40*l.*; 1 medal, value 5*l.*; 2 medal-cases, value 2*s.*; 1 muff, value 1*l.*; 1 coat, value 1*l.*; 1 bell, value 5*s.*; 1 knife, value 2*d.*; and 1 shell, value 6*d.*; the goods of George Davis Wilson, Esq.

GEORGE DAVIS WILSON, ESQ. I am a colonel in the army. About three o'clock, on the 28th of March, I landed from a steam-packet—I had twenty-five or twenty-six trunks at the Custom-house—I was informed that some of them had been taken from the cart in which they had been deposited to go down to Romford—four or five packages of different kinds were gone—one of them contained the card-plate, spectacles, and all these things—this order of the Bath, and this gold medal, are mine; and this box full of things are all mine—(*looking at them.*)

BENJAMIN MASTERS. I am servant to Messrs. Ing and Smith, of Romford, brewers. At half-past six o'clock on Wednesday evening, the 28th of March, I left the Custom-house, going to Col. Wilson's with the cart with twenty-six packages of various sorts in it—I saw them all put in—there was a tilt over the cart—I rode before—when I got to the Rising Sun public-house, in Bow-road—I heard something fall from the hind part—I stopped, jumped down, and found the cord cut, and some parcels gone—I turned, and saw a man—I made up to him, and said, "What have you taken out of my cart?"—he said, "Nothing," but two men have run by—I said, "I will stop you"—he got away from me, ran to the path, jumped over into Mr. Gregory's field—I was afraid to go from my cart—I went to the Rising

Sun, and staid there till the patrols came up—we went up and down with a candle, but could find nothing—I cannot swear, but I believe, the man I saw was Greenhall—he had a fustian frock coat on, as he has now, and by his features and dress I think he is the man—it was very dark—when I returned home instead of twenty-six parcels I had only twenty-one.

JAMES HAINES (*police-constable K* 248.) I was on duty last Thursday morning, the 29th of March, in High-street, Bow, and at half-past three o'clock I saw three persons pass me with a donkey cart—there was some music playing at the Black Swan—the three persons stopped to listen to it—I took particular notice of them—they stood under a gas-light—I suspected from their appearance, and the knowledge I had of one, who is not in custody, that they were after no good—they went down the road—I met another officer—we agreed to watch them coming back, and to examine their cart—about six o'clock the two prisoners came back in the cart—I stopped and asked them what they had got in the cart—they said, nothing, and I was welcome to look if I pleased—I got into the cart, and found about half a load of dung in it, with three empty hampers turned upside down, which they were sitting on—I turned them over, took out my staff, turned the dung over, and found these two white boxes—I jumped down, laid hold of Smaile, and asked him where he got them from—he said they had picked them up by the road-side—I took him to the station-house, and found a half-crown in his shoe.

HENRY MILSTED (*police-constable K* 208.) In consequence of what Haines said to me, I watched, and at twenty minutes to six o'clock I saw the donkey cart, and the two prisoners in it, coming up from Bow—the prisoners said they had nothing, and we were welcome to look—Haines took Smaile, I took Greenhall, and as we were going to the station-house I saw this other red box projecting out under the dung—it contains the articles stated.

WILLIAM ROBERT GARDE. I am a police inspector. The officers brought the prisoners and the boxes to me—I broke open this one, which contained the articles.

Greenhall's Defence. At half-past three o'clock I went down to Romford with this man to buy some roots, and in going down we found these two white boxes and this red box, with a cover over it—we took them up, put them into a cart, and were returning home with them, when we were stopped—we said we had nothing but what we picked up.

HENRY MILSTED. They said they had nothing at all, and "Look if you please."

Greenhall. They took us to the office, and there were some more prisoners—some women and a man with a trunk, which was found on the road-side—we were bringing these things to town, thinking there would be a reward for them.

Smaile's Defence. As we were going down the road we saw something white, and found these boxes, and the red box had a black cover over it—as we came back we were stopped, and told the officer we had nothing, only what we found.

GREENHALL—GUILTY. Aged 20.—Transported for Seven Years.
SMAILE—GUILTY. Aged 21.—Judgment Respited.

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997. JOHN ADDISON and THOMAS SMITH were indicted for

stealing, on the 24th of March, 1 sack, value 6*d.*; and 9½ pecks of oats, beans, and clover chaff, mixed together, value 3*s.* 6*d.*; the goods of Hugh M'Intosh.

JOHN M'INNIS. I am in the service of Mr. Hugh M'Intosh—he is contractor for the Great Western Railway, and is executing a part near Hanwell—Addison was his carter—Mr. M'Intosh finds food for his horses. On Saturday, the 24th of March, from information I received, I went to his stable at Drayton-green, and ascertained what horse provender Addison had taken out with him that morning—I then went after him to Ealing—I found him about seven o'clock in the morning, and asked him where the chaff was that he had taken out from the stable—he said it was in the nose-bag—I asked where the sack was that he had taken out three quarters full—(I put that question from information I had got)—he told me he had got none but what was in the nose-bag, and denied taking any other out—I then took him out of the cart, and he voluntarily admitted to me he had left a sack with *Tom*, the ostler, at the Coach and Horses—this was a cart of bricks he was loading—in consequence of what Addison said, I went to the Coach and Horses, at Ealing—I saw Smith sweeping the front of the house—he is, I believe, under-ostler—I took a policeman and Addison with me—I asked Smith what he had done with the sack of chaff corn and beans that Addison left with him—Smith, at first, denied having seen Addison, or the corn, or sack either—I gave him into custody—he then said he had found the sack down in the shed—I looked under the manger of the stable, and found the sack produced, about three quarters full with chaff, corn, and beans—I know it to be the same sort of sack we have for our oats and beans—it had some grey hairs upon it, as if it had been laid across a grey horse's back—I gave them in charge—when Addison went out in the morning, he had no business at the Coach and Horses.

JOSEPH DAVIS. I am horsekeeper to Mr. M'Intosh. On the 24th of March, Addison took some grey horses from the stable at Drayton, a little after six o'clock—they were going to work by the rail-road—he took his two nose-bags, and about three parts of a sack of mixed corn, chaff, beans, and oats, on a grey horse's back—I have since seen a sack in the policeman's possession—it has the same mark on it as my master's had that he took that morning, and it had the same grey hairs on it—I then went to find Addison, and took him at Ealing—he ought to have had the same sack of food he had taken in the morning, but he had not—this is the same sack as we have.

HENRY GILES (*police-constable T* 72.) I was in the neighbourhood of Ealing, in the morning of the 24th of March, at the Coach and Horses, about a quarter-past six o'clock, and saw both the prisoners drinking together, in front of the house—I went on and saw Mr. M'Innis—I communicated some suspicions to him—there were two grey horses with Addison—they had nose-bags, hitched on to the harness, and no cart—about an hour after that, Mr. M'Innis returned to the station-house—Addison and he gave me an account of what he had done with it—from what he said, I went to the Coach and Horses, with Mr. M'Innis, and saw Smith—I asked what he had done with the sack—he said he had *chucked* it down, and he did not know where it was—I went in, but could not find it—we then came out, and asked Mr. M'Innis to go and look under the manger—he went and found it—I knew Smith nearly twelve months—he has been ostler all that time.

Addison's Defence. I went there to give my horses water—I just turned away, and the sack was taken off the horse's back—I could not see it any where—I have worked twenty years for Mr. M'Intosh.

ADDISON—GUILTY. Aged 28.—*Recommended to mercy by the Prosecutor.*—Confined Three Months.

SMITH—NOT GUILTY.

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998. EDWARD ROBINSON was indicted for stealing, on the 17th of March, 1 coat, value 5*s.*, the goods of Edward Wetherall.

EDWARD WETHERALL. I live in Edward Terrace, Islington. About nine o'clock in the morning, on the 17th of March, I left my great coat in my hall—I did not miss it, but I saw it at Hatton-garden.

JOSEPH HILTON. I live in Penton-street. On Saturday afternoon, at half-past one o'clock, I was in Edward Terrace, and saw the prisoner standing just by Mr. Wetherall's gate—I went on to No. 4, and as I came back I saw the prisoner go from the door across the fields, to a person who was there—he took something from that person, and then he put this great coat on him—I followed him till he came to the station-house in Rosamond-street, and there I gave him in charge.

Prisoner. I was in great distress.

GUILTY. Aged 20.—Confined Thre eMonths.

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999. LOUISA NEWMAN was indicted for stealing, on the 15th of March, 10 yards of printed cotton, value 4*s.*, the goods of Thomas Read.

HENRY NASH. I am shopman to Thomas Read—he keeps a linen-draper's shop in Sidney-place, Commercial-road. On the 15th of March this cotton was on the iron outside the window—I missed it—I went out and saw the prisoner—I ran after her, and caught her—I asked if she had any print—she said "No," but I heard she had thrown it away—it was picked up, and given to me—I went and took her again—it is my master's cotton.

ANN CAMPBELL. I was at the shop, and in going in, I saw the prisoner take a piece of print off the bar—I gave information to the witness, who went out.

WILLIAM PARAMOUR (*police-constable K* 51.) I took the prisoner, and have the print.

Prisoner. I did not have it.

GUILTY. Aged 23.—Confined Three Months.

1000. THOMAS CRUMP was indicted for stealing, on the 19th of March, 1 pair of trowsers, value 7*s.*, the goods of William James Stevenson.

RICHARD WILLIAM MUSGROVE. I am an apprentice to William James Stevenson, of Ratcliffe-highway. These trowsers were outside the door on the 19th of March—I heard they were gone, and missed them—these are them—(*looking at them.*)

WILLIAM BORHAM. I live in Hermitage-street. I was in a cart going by the prosecutor's, and observed the prisoner and another man between six and seven o'clock in the evening, taking a pair of trowsers, which were attached to a bar or stiff string—the other one cut the trowsers down, and gave them to the prisoner, who put them into his apron, and made off—I stopped,

and made after him—the prisoner dropped the trowsers—I did not take them up, but pursued—our carman followed me—he took up the trowsers, and assisted me in taking the prisoner back to the shop.

Prisoner. I had not seen them.

GUILTY. Aged 18.—Confined Three Months.

1001. SAMUEL FLETCHER and MARIA FLETCHER were indicted for stealing, on the 21st of December, 6lbs. of feathers, value 10*s.*; 3 blankets, value 10*s.*; 2 sheets, value 4*s.*; 2 pillows, value 6*s.*; 1 bolster, value 5*s.*; and 1 flat-iron, value 6*d.*, the goods of Edward Peacock.

EDWARD PEACOCK. I live in Adam-street, East, and am a grocer. The prisoners lodged in my house from November—the apartments were furnished—on the morning of the 16th of March, I went to their room—I observed the bed was open, and the prisoners in the act of removing feathers—I looked round, and all the bed clothes were gone—the blankets, sheets, pillows, and bolster—I said, "What! are you robbing me?"—they said, "Oh no, we met with an accident and burnt the bed"—the other things are here.

GEORGE SPELLER. I live with Mr. Walter, a pawnbroker, in High-street, Marylebone. I have a blanket pawned on the 21st of December—I cannot say by whom, but two of these articles the woman pawned—I have seven in all, sheets and other things.

CHARLOTTE PEACOCK. I am the prosecutor's wife. These blankets, sheets, bolster, and other things, are my husband's property.

HENRY WILLIAMS (*police-constable D* 51.) I went to the room, and asked the female for the duplicates of these things—she gave me a bag with twenty-seven duplicates, seven of which relate to these things.

Samuel Fletcher's Defence. I have been brought up for gentlemen's service, but had no work since Christmas—we have been for days together without food or firing, which caused my wife in an evil hour to pawn my landlord's things—we applied to the parish, but got no relief—the blanket was pawned for 4*s.*, to pay our week's rent.

MARIA FLETCHER*—GUILTY. Aged 39.
Transported for Seven Years.
SAMUEL FLETCHER—NOT GUILTY.

1002. MARY POWELL was indicted for stealing, on the 12th of March, 5lbs. weight of cheese, value 2*s.*, the goods of Robert Walkington, and another.

CHARLES BRADBROOK. I am in the service of Robert Walkington and Richard Carr, cheesemongers, in St. George's, Bloomsbury—I received information on the evening of the 12th of March—I ran after the prisoner, and found on her this Dutch cheese, with a mark on it, which I know it by—I had seen it safe not a quarter of an hour before.

Prisoner. I picked it up at the window. *Witness.* It was in the middle of the shop, not on the retail side—I had not seen her in the shop, as I had but just come down stairs—we have only one person selling in the shop, and he is not here.

NOT GUILTY.

1003. JOHN COLLINS was indicted for stealing, on the 12th of March, 2 sheets, value 3*s.*; 4 pairs of stockings, value 2*s.*; 1 pair of shoes, value 1*s.*; 2 handkerchiefs, value 1*s.*; 1 night-cap, value 6*d.*; and 1 shirt-collar, value 6*d.*; the goods of Daniel Flannagan, from his person.

DAVID FLANNAGAN. On the 12th of March, I landed from the ship *Liverpool*, on board which I had been steward—I had a bundle containing all these things—I went to the Queen's Head to get some refreshment, and saw the prisoner there—he drank with me, and then we went out—I had my bundle under my arm—I turned to stop for a moment, and as I did so, the prisoner snatched the bundle from me.

Prisoner. *Q.* Did not you invite me to a friend's house? *A.* No.

CORNELIUS FOAY (*police-constable H* 98.) I was outside this house that night, and I saw the prisoner come up—the prosecutor went into the house and the prisoner followed him—about half an hour after the prosecutor came out with the bundle under his arm—he stopped for a moment—the prisoner snatched the bundle and ran away—I pursued and took him with it.

Prisoner. The prosecutor invited me to spend an hour or two with a friend of his named Dubourg in the Minories—I got very much in liquor, and I am very sorry for what occurred—I had been drinking from two or three o'clock in the afternoon till ten or eleven o'clock at night.

GUILTY. Aged 26.—Confined Six Months.

1004. WILLIAM HOPWOOD was indicted for stealing, on the 20th of March, 7 lbs. weight of coffee, value 12*s.* 6*d.*, the goods of James Robinson Craney.

JAMES ALEXANDER ALLEN. I am porter to James Robinson Craney, of High-street, Shadwell. On the 20th of March, I went out with my truck to deliver goods—I lost seven pounds of coffee about six o'clock, and another parcel of four pounds—this is the seven pounds parcel (*looking at it.*)

JOHN ANDREWS (*police-constable K* 231.) I was on duty between seven and eight o'clock—I saw the prisoner with this bundle under his arm—I asked him what he had got—he said it was no business of mine, and I had no business to see it—I said I should wish to see it—he said it was coffee—I said, "Where did you get it?"—he said that was no business of mine—I took him to the station-house.

Prisoner. By the Commercial-road gate I saw two men running, they dropped this, and I took it up.

GUILTY. Aged 23.—Confined Six Months.

1005. WILLIAM DAVIS was indicted for stealing, on the 14th of March, 1 range, value 1*s.*, the goods of Thomas Higginbottom.

ELIZA ANN HIGGINBOTTOM. I live with my father, Thomas Higginbottom, in Charles-street, Lisson-grove. At a quarter past seven o'clock, on the 14th of March, I saw the prisoner go into No. 5, which belongs to my father—in a quarter of an hour I saw him come out with the range on his shoulder—I ran half way up the street, and stopped him—I told him to put it down, which he did, and told me to take it home, but I followed him—he struck at me twice with an umbrella—I then followed him to William-street into Stephen-street—where my father came up, and took him—he was then in the act of striking me.

THOMAS HIGGINBOTTOM. I came up, and the prisoner ran off three or four streets—I then took him.

Prisoner. A man told me to go to that street and fetch the range, which he said he had bought—as I was going, this girl came and said it was

her father's—I said a man had bought it, and I was anxious to get it to the man—I put up my hand to keep her off me—I did not strike her—the man was to be at the Castle, at the corner of Chapel Street, New Road—the door of the house was open.

ELIZA ANN HIGGINBOTTOM. He opened the latch of the door, and went in—there was no one there but him.

GUILTY. Aged 30.—Confined Six Months.

1006. JAMES DOWNS was indicted for stealing, on the 23rd of March, 1 shovel, value 2*s.*, the goods of Robert Satchwell.

ROBERT SATCHWELL. I live in Middlesex-street, Somers Town. On the 23rd of March, while I was gone to dinner I lost a shovel from some gravel, where I was digging foundations—this is it—(*looking at it.*)

GEORGE POWELL. I was looking out of a window opposite the foundation—I saw the prisoner go down, and come up with this shovel—I went to the public-house and told of it—he was followed and taken with this shovel.

GUILTY. Aged 23.—Confined Three Months.

1007. FRANCIS DAVIES was indicted for stealing, on the 31st of March, 1 purse, value 4*s.*; 1 sovereign, 2 half-crowns, 10 shillings, and 1 sixpence; the goods and monies of William Dimes, from the person of Elizabeth Wintersgill Dimes.

ELIZABETH WINTERSGILL DIMES. I live in Austin Friars, and am the wife of William Dimes. About one o'clock on Saturday, the 31st of March, I was going down St. Botolph's-lane, when I got to the corner of Thames-street two or three people came before me, and an equal number I think behind—I tried to move backwards—I then made a push forwards, and a man behind me gave me a violent push, and I lost a purse from my pocket, which contained a sovereign and about 1*l.* in silver, to the best of my knowledge—there were two half-crowns—I cannot tell who any of the people were, but I think the prisoner was a man who was behind me.

Cross-examined by MR. PAYNE. *Q.* How lately had you seen the purse? *A.* Immediately before I left home—I had walked to a watchmaker's in Cornhill, and then I went down to this place, which took me eight or twelve minutes—I am sure I had my money in my pocket—I was pushed forwards, and I apologised to a woman that I was pushed against—I turned and saw one or two persons—I think the prisoner was one.

JAMES CUTHBERT. I am an officer. About one o'clock on Saturday, the 31st of March, I was in East-cheap—I observed the prisoner and several others—I had known them before—I saw the prosecutrix going down Botolph-lane—I asked a witness here to follow her—I watched the prisoner and his companions—at the bottom of the lane they all surrounded her—the prisoner was one—they surrounded her purposely, not accidentally.

Cross-examined by MR. PHILLIPS. *Q.* Are you an officer? Yes—I am Inspector of the watch of Bread-street ward—I don't believe I knew the prisoner before that day—I knew those who were with him—I lost sight of him from eight to ten minutes—I lost sight of the whole of them directly after they had completed their purpose, in my opinion—they left the lady—I went to ask if she had lost any thing—they went down Dark House-lane—I followed them from place to place—I saw four of them together, but the prisoner was not pointed out to me at that time.

THOMAS BARNETT. I reside with Mr. Harford. The officer came and told me to assist him—I walked down Botolph-lane, and I saw the prisoner and four others—I saw the prisoner feel the lady's pocket three times—when they got to the bottom of the lane they all surrounded her—the prisoner got behind the lady, picked her pocket, and handed something to one of his companions—I saw it quite distinctly, and saw him put his hand into her pocket.

Cross-examined. *Q.* Have you and your friend been getting this case up, since you were before the Magistrate? *A.* No—I do not exactly know how long I have been acquainted with Mr. Cuthbert—it might be twelve or eighteen months, or two years, but not three years—I have not been talking to him about this case since I was before the Magistrate.

Q. Have you not talked to Cuthbert about the case this day? *A.* It is not my business to answer that question—I did not speak to him about it, only he said, I want you such a time at the Old Bailey, and then he said outside what time it was to come on—I have never been out thief-hunting with him—I never was a witness before—I am an orange merchant's man and a cooper—I have been with Mr. Harford ever since I came from a place called Hemsworth, eleven miles this side of Portsmouth, and then I was kept by my parents—I saw the prisoner feel the woman's pocket three times—I said that before the Magistrate—what I said was taken down, and read over to me—I signed it—I said before the Magistrate that I saw him feel the lady three times as she was going down the lane—this is my handwriting—(*looking at his deposition*)—I will not swear to the prisoner's dress, but I will to his face—he had no cape on when he picked the lady's pocket.

JAMES WALTER BREWER. About one o'clock I was in Lime-street passage, and heard a cry of "Stop, thief!"—I saw the prisoner running, and stopped him.

Cross-examined. *Q.* Did you observe how he was dressed? *A.* Yes; in a Mackintosh cape, buttoned up to the top.

MR. PHILLIPS *to* JAMES CUTHBERT. *Q.* How was the prisoner dressed at the time this lady was robbed? *A.* In the same way he is now—the same coat and waistcoat—I cannot swear how he was dressed about the neck—I never said I saw him in a Mackintosh cape—I did not see him in that—he was taken in eight or ten minutes, and he had a Mackintosh cape then—I have known Barnett about twelve months—I called on him to watch the parties, because I knew several of them knew me, and that I should have no chance of detecting them—I may have said something to Barnett about this case since we were before the Magistrate, but no particular point—I may have said he must be very particular in what he said, to mind his statement—I would not swear that I did not say it to him.

GUILTY. Aged 24.—Transported for Ten Years.

Sixth Jury, before Mr. Sergeant Arabin.

1008. JANE ROBINSON was indicted for stealing, on the 18th of March, 1 watch, value £2. 10*s.*; 1 chain, value 3*d.*; and 1 key, value 3*d.*; the goods of William Hall, from his person.

WILLIAM HALL. I am a labourer—I have been to sea the most of my life—I live at Deptford. On the 18th of March I went through London to go to Deptford—I fell in with the prisoner in the Mile-end-road—she wished me to go up a turning with her, which I refused, and then she requested

me to go home with her to Bow, which I refused—she made free with my person, and used language to induce me to go with her up a turning for five or ten minutes—I missed my watch—I went to the police-officer, and described her—he knew her, and took me to a house near Bow Church, where I found her, and recovered the watch.

Cross-examined by MR. PHILLIPS. *Q.* How long is it since you were on the sea? *A.* I came home last in 1824—I have lived at Deptford and Sheerness a good while—I asked the woman where she lived—she said by the side of Bow Church, and gave me the name of Reynolds—I went to her residence with the policeman—she came out of the house—she did not give her right address, because she told me it was the first turning, and it was up an alley further on—I did not take the officer up there—I merely asked where she lived to get rid of her, and said I would call the next day—I did not go down a turning with her—I had 23*s.* or 24*s.*—it was four o'clock in the morning—I had been up all night, keeping watch on the bridge at Stratford—I met her in the high road, between the Globe bridge and Bow Church.

WILLIAM TILLEY (*police-constable K* 218.) The prosecutor came to me and described the prisoner—I knew her quite well, as she walked my beat regularly every night—I took him to the house where she lived, and asked her where the watch was that she stole from this man—she denied it—I was in the house a quarter of an hour, she then said she had got it—she went into the back yard, took it off the wall, brought it in, and gave it to me—she said he promised to give her a half-crown, and she took the watch in place of payment.

Cross-examined. *Q.* Did she not say she took it *in* payment? look at this deposition, and read the first line. *A.* I said to the Magistrate that she took the watch in payment.

NOT GUILTY.

1009. HENRY JAMES was indicted for stealing, on the 3rd of January, 1 painting and frame, value £4., the goods of Edward Radclyffe.

EDWARD RADCLYFFE. I live in High-Holborn, and am a picture dealer. On the 3rd of January I saw this picture in the window, between seven and eight o'clock in the evening—I did not miss it till next morning at eight o'clock—this is the picture—it is "Time flying away with Beauty"—it was framed.

Cross-examined by MR. PHILLIPS. *Q.* Did you know the prisoner? *A.* No—I do not know a man of the name of Thomas—I have used a great deal of pains to inquire about the prisoner, and the police have done the same, and I have heard nothing against him—I understand he is a literary character, and the world is much indebted to him—my shop is about a quarter of a mile from the pawnbroker's.

JOHN BARKER. I live with the prosecutor. I remember this picture being in the shop between five and six o'clock on the 3rd of January.

MARMADUKE JACKSON HOWLETT. I am in the service of Mr. Hedger, a pawnbroker, of Drury-lane. This picture was brought on the 3rd of January by the prisoner—he wanted a sovereign for it, and we lent it him—he gave his name on the ticket—I cannot say what it was—I am sure he is the person who left it—on the 25th of March, when he came again to the shop for an affidavit, which we give when a duplicate is lost, I recollected him, and sent for an officer, who took him.

WILLIAM RANDALL (*police-serjeant F* 8.) I apprehended the prisoner—on his way to the station-house he told me he had pledged the picture, but that he purchased it of a man—I asked his name—he said he could not tell me—I asked if he knew him—he said he never had any acquaintance with him—on the way he dropped some duplicates down an area, and in the station-house some more, which related to some books and umbrellas.

Cross-examined. *Q.* Did you say before the Magistrate that he said he purchased it of a man, and did not know his name? *A.* Yes, but it was not entered, I believe, in the depositions—I asked him if he could tell me the man that he purchased it of—he said he did not know the name, as he never had much acquaintance with him—I said, "If you can show me where he lives, I will take you to him"—he said he purchased it of a friend, but he did not know the name—I found 1*l.* 12*s.* 6*d.* on him.

NOT GUILTY.

1010. ANN JOHNSON was indicted for uttering counterfeit coin; to which she pleaded

GUILTY.—Confined One Year.

1011. JAMES DONOVAN was indicted for a misdemeanor.

THE HON. MR. SCARLETT *and* MR. THOMPSON *conducted the Prosecution.*

ELIZABETH LEWIS. I am in the milk business, and reside at New Wall, White-friars. On the 9th of March the prisoner came to my house, between three and four o'clock, and asked for ½*d.* worth of milk, and offered me a sixpence—I looked, and said it was bad—he then gave me a good one—I gave him 5½*d.*—the officers entered my shop at that time, and took him into custody—they showed me three sixpences, and they took from the prisoner's hand the 5½*d.*, and the sixpence which he had first offered me—I believe it was the same, because it was a little bent.

WILLIAM ISBESTER. I am a surveyor of the Thames Police. I was with Gaskin on the 9th of March—I saw the prisoner, and followed him down the alley where this witness lives—I went into the shop, and took from his left hand a counterfeit sixpence—I found on him three other counterfeit sixpences—here is the one I took from him—the other three were wrapped up in paper.

COURT. *Q.* What other money had he about him? *A.* Five penny-pieces, and 5½*d.* in halfpence.

JOHN GASKIN. I have heard the testimony of Isbester—it is correct—I found these three sixpences on the prisoner—(*producing them*)—wrapped up in fine paper—I found in his pocket one good sixpence, and five penny-pieces, and in his right hand 5½*d.* in copper.

JOHN FIELD. I am Inspector of Coin to the Mint. I have looked at these four sixpences—they are all counterfeit, and all from the same mould.

GUILTY. Aged 60.—Confined One Year.

1012. MARY M'GUIRE was indicted for a misdemeanor.

THE HON. MR. SCARLETT *and* MR. THOMPSON *conducted the Prosecution.*

ROBERT SAMUEL BAUGHTON. I am in the service of George Hitchcock, who keeps the Jacob's Well, in Barbican. The prisoner came in there on Wednesday, the 28th of February—she asked for a pint of beer—I served her—she tendered me a half-crown—I gave her change, and put the half-

crown into the till—the beer came to 1½*d.*—there was a waiter, of the name of Sims, at that house—he opened the till within ten minutes after the prisoner had the beer, and said, "This half-crown is a bad one"—I got up, and took it out myself—I saw it was bad—there was not another of any description in the till—nobody had been to the till during the ten minutes—at eleven o'clock the same night the prisoner came again, and asked the waiter for a pint and a half of fourpenny ale, and tendered a half-crown—I heard Sims say it was bad—I got up and took it—I put them both together, and sent for a policeman, and gave her in charge—I sealed the half-crowns up in a paper—I put a mark on them first, and gave them to the policeman—there was a great difference in the prisoner's dress—she had a dark shawl and bonnet on the first time, and the next time only a little white shawl, and no bonnet, as if she came from next door—I can swear to her, from her face—there was a mark on her nose that night.

GEORGE SIMS. I am waiter at the Jacob's Well. The prisoner came for a pint and a half of fourpenny ale—she gave me a bad half-crown—this was between ten and eleven o'clock at night—I had not seen her before—I examined the half-crown, and put it on the bar-door—Mr. Baughton took it, and put them both together.

GEORGE HITCHCOCK. I keep the house. I saw the prisoner come there twice, on the 28th of February—I detained her the last time, and got a policeman—she paid for the ale in copper, and then wanted the half-crown back—she had 1½*d.* more, I believe.

JAMES REDWOOD. I am a policeman. I took the prisoner—I got these two half-crowns from Mr. Baughton—the prisoner had 1½*d.* in copper on her—she refused to tell me where she lived—she was very much intoxicated, I was forced to get an officer to assist me to take her to the watch-house.

MR. FIELD. These are both counterfeit, and from the same mould.

Prisoner. I was there but once, and offered the half-crown, not knowing it was bad—I got it from a man outside, who asked me to get some beer—when I came out the man was gone.

GUILTY. Aged 36.—Confined One Year.

1013. MARY SMITH was indicted for a misdemeanor.

SARAH ANN CHATTERS. I am the wife of Jeffrey Chatters—he is a porter, and keeps a chandler's shop in Featherstone-street. I recollect Thursday, the 8th of March, the prisoner came to my shop about three o'clock—she had a few small articles, bread, tea, and sugar—they came to about 4*d.*—she gave me a shilling—I gave her the change, and she went away—I put the shilling into the till—there were two more in, this made the third—she came about four o'clock the same day—she then had some bread, tea, sugar, and butter, which came to about 4*d.* or 5*d.*—she offered a shilling in payment—I put it into the same till—I recollect her coming again about five o'clock—she then bought some bread, tea, sugar, and bacon, which came to about 6*d.*—she offered a shilling, which I added to the others, and gave her change—that would make about five shillings in the till, not more—she came a fourth time that day, about half-past five o'clock—she then had a pound of bread, which was 1¾*d.*—she offered a crown-piece, which I placed in another till, on the other side of the shop, and gave her change—my husband came home about seven or eight o'clock, which was about two

hours after, she came the last time—I went out after that, and when I came back, he said he had taken two bad shillings from the till, where I put the shillings—I had not taken a shilling from any other person from the time the prisoner first came—I recollect the morning subsequent to that—I went to the till where I placed the crown, took it out to examine it, and found it a bad one—I examined the till where the shillings were kept, and found a third bad shilling there.

JURY. *Q.* Where did you give the change of the five-shilling piece from? *A.* From another till, on the opposite side.

MR. SCARLETT. *Q.* You had two tills? *A.* Yes; and I put the crown into one till, and gave change out of that till for it—it was not the one I put the shillings in.

JEFFERY CHATTERS. I returned home on the 8th of March—my wife went out after I came home—no one went to the till before me—I went soon after my wife went out—there were four or five shillings in the till—I found two bad ones—I took them out, looked at them, and put them in again, separate from the other money—I left the whole of the shillings in the till—there were two or three besides the two I picked out—I believe there was one more bad one, which my wife found the next morning—I did not get a bad crown from my wife then, but I did on the Saturday—I put it into my pocket, and showed it to the policeman—I gave him the shillings and the crown piece, on the 10th of March—I had had some communication with Mr. Fobbester.

CHARLES FOBBESTER. I am servant to Mr. Chambers, a greengrocer, in Bunhill-row. On the 10th of March the prisoner came in for two red herrings—she offered me a shilling—they came to 1½*d.*—I took the shilling into the parlour, and showed it to my mistress—she tried it first, and then I bent it with my teeth—I ascertained it was a bad one, and gave it back to the prisoner, and she said, "Bless me, it is a bad one"—I asked her for it back again, and said I would nail it to the door-post, and she returned it to me—she then went away, and promised to come back, and pay for the herrings—she did not come back—Mr. Chatters came to the shop that night, and told me of his case—I gave the shilling to the policeman.

JAMES JOHN EMES. I am a policeman. I called on Chatters on the 10th of March, and got a crown-piece and three bad shillings from him, and one from Fobbester—I went to a house in Featherstone-court, and found the prisoner in bed with a man—a sergeant, who was with me, found a bad shilling in the room.

CHARLES SCOTCHMER. I am a police-sergeant. I went with Emes to this room, and found this counterfeit shilling on a chair.

MR. FIELD. These are all counterfeit, the crown and the shillings, and three of them are from one mould—the one passed to Fobbester, the one found at the prisoner's house, and one of the others.

Prisoner. It was money that was given to me—I did not know it was bad.

GUILTY. Aged 19.—Confined One Year.

1014. WILLIAM COLE was indicted for a misdemeanor.

CAROLINE HANNAH JACQUES. I am the wife of James Jacques, a pastry cook and confectioner, at Shadwell. On the 24th of February the prisoner

came to my shop, between three and four o'clock in the afternoon—he had a penny bun, and gave me a sixpence—I gave him 5*d.* in copper—I placed the sixpence at the back of the till, where there were shillings, half-crowns, and two new sixpences—there was not more than two new sixpences—I noticed the sixpence he gave me was dirty, and as he was in his working dress I thought that was the cause—Susan Duncan came in for sixpenny worth of cakes—it was about five o'clock—she gave me a half-crown—I gave her one shilling and two sixpences—one of them was the sixpence that the prisoner had given me—I am sure of it, because I had only three sixpences in the till, and that was the only one I had, except two new ones—she came back to my shop, and said I had given her a bad sixpence—I said I was very sorry for it; I had taken it of a boy in a fustian jacket—I had suspected it was bad, but did not know it—I took it into the parlour, and gave it into my husband's hand—he said it was bad—I took it and put it on the inkstand—Burgess came into the shop—I marked the same sixpence, and gave it him—he afterwards showed me a bun, which was my husband's make.

SUSAN DUNCAN. I live in Cross-alley, Shadwell. I went for sixpenny-worth of cakes, and saw Mrs. Jacques—she gave me the cakes—I gave her a half-crown—she gave me one shilling and two sixpences—one new, the other old—I went to the grocer's, at the corner of Star and Garter yard, and offered the old sixpence—the gentleman said it was bad—it was not out of my sight—he never laid it down—I took it back to Mrs. Jacques, and she gave me another.

EMMA BALTON. My father is a baker, in Ratcliff-highway. The prisoner came to our shop on the 24th of February, for a penny loaf—I gave it him—he laid down a sixpence—I thought it was bad, and I took it to my father—he said it was good—I gave the prisoner the change—I laid it on the shelf, and then showed it to my mother—she said it was bad—I gave it to the policeman—I am sure it was the same—my mother marked it—I saw another officer with the loaf—it was my father's make, and the same sort that I sold the prisoner.

RACHEL BAGENT. I am the wife of Isaac Bagent—he keeps an eating-house at East Smithfield. On the 24th of February the prisoner came for a penny-worth of pudding—he gave me a sixpence—I bent it—it was bad—I gave it to the officer.

CHARLES RANDYLL. I am a policeman. I was in Bagent's shop on the 24th of February—I learned something, and pursued the prisoner—I saw him on Tower Hill, with another man, against whom the bill has been thrown out—they walked on together over Tower Hill—I took them up, searched Cole, and found on him this counterfeit sixpence, (*producing one,*) which is bent—I also took Davis—I saw the pastry and bun found on him—they were afterwards shown to the different people, and they owned them.

RICHARD BURGESS. I am a policeman. I assisted Randyll—I found the things that have been described on Davis, also 3*s.* 6*d.*, some thread, and other things—I got the sixpence from Mrs. Jacques.

MR. FIELD. These are both counterfeit, and from the same mould.

Prisoner. I bought a penny worth of fish—they gave me four sixpences out of a half-crown—I did not know they were bad.

GUILTY. Aged 18.—Confined Three Months.

5. JOHN BROWN was indicted for a misdemeanor.

RGE BOORN. I live with my mother at Ilford, near the Three s. On the 5th of March I had a stall of fish in High-street, Bow prisoner came to my stall, between eight and nine o'clock at night, ked the price of several fish, and then waited till I served two people anted me to take 3*d.* for a Dutch plaice, but I would not—he then 3½*d.*—I would not take it—he said he would give me 4*d.*—he gave , and I gave him change—it was the only shilling I took that day mother said it was a bad one—I said I should know the person -I saw him at the station-house, and knew him—it was the pri-

s-examined by MR. PAYNE. *Q.* Had you ever seen him before? *A.* oing up and down the road.

RY BOORN. I have heard what my son says—I saw the shilling was en he gave it to me—I gave the same shilling the next morning to liceman.

s-examined. *Q.* Had you not another shilling? *A.* No, not one.

N PARKER (*police-constable K* 288.) On Tuesday, the 6th of March, ved a shilling from Mary Boorn—on the 14th of March I took Boorn to the station, and he knew the prisoner directly.

ZA ANN POOLE. I am servant to Mr. Denton, the eating-house keeper. 14th of March the prisoner came and asked for a pennyworth of g, and gave me a shilling—I showed it to my master—he said it bad one, and he took it.

LIAM DENTON. Poole brought me a bad shilling—I took it back to soner, and said it was bad—he said, "Is it?"—I said, "Yes"—he e a sixpence out of his pocket, which was good—I gave him change for the officer came in at that moment and took the prisoner and the g.

VARD SHAW (*police-sergeant K* 14.) I produce a shilling given to William Denton—I took the prisoner in charge.

NRY MULLINS. I am a police-sergeant. I searched the prisoner on the and found on him 1*s.* in silver, and 9*d.* in copper.

. FIELD. These shillings are both counterfeit.

s-examined. *Q.* Are they from the same mould? *A.* No, they are

e prisoner received a good character.)

GUILTY.—Confined Six Months.

NEW COURT.—*Friday, April 6th,* 1838.

Sixth Jury, before Mr. Common Sergeant.

6. ANN BUSH was indicted for stealing, on the 31st of March, 6lbs. of pork, value 4*s.*, the goods of Henry Rogers, to which she d

GUILTY.—Confined Six Days.

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7. ELIZA JONES, THOMAS JONES, JOHN TREADAWAY, ARY ANN SMITH, were indicted for a misdemeanor.

HON. MR. SCARLETT *and* MR. THOMPSON *conducted the Prosecution.*

RY THRUSSELL. I am the wife of John Thrussell, who keeps the Mar-

quis of Granby public-house, Green Hill, near Harrow. On the 26th of February these four prisoners came in, about twelve o'clock, and had two pots of beer, which they paid for in coppers—they had something to eat, which they brought with them—they eat and drank together—the two females asked me to show them into the yard—they then asked me if I sold gin—I said, "Yes"—Eliza Jones asked me to bring half-a-quartern, which I gave them—they drank it in the yard, and Eliza Jones offered a half-crown—I took it to the bar—Mary Ann Smith was present when she offered it—I laid it on the table in the bar—my husband came in soon after, and took it up, marked it, and put it into his pocket—the prisoners had then left the house—they went out as near together as possible—the two women went out first, but only just in time for the men to follow them as quickly as the door would admit of—my husband went in his horse and cart to follow the prisoners.

Cross-examined by MR. PHILLIPS. *Q.* Where were the women when Eliza Jones gave you this half-crown? *A.* In the yard—the men were in the tap-room, not in the same place.

JOHN THRUSSELL. I saw the four prisoners drinking beer and eating in the tap-room, all together—after they were gone out, I saw a half-crown on the table in the bar—I marked it, and put it into my pocket—here it is—I went about a mile and a half before I overtook them—I first saw Treadaway standing at the corner, just against Hill's house, where three roads met—Mr. Rowe, who was with me, got out to go to Hill's house—just as he was going there, Jones came out with a pipe—he was followed by Hill and Rowe—I beckoned that they were the two men—Jones came to Treadaway, and Rowe collared them—I had asked Treadaway if he would ride in the cart—I assisted in taking them—they got away from Rowe, and ran round the corner—we all pursued them—Treadaway struck at Rowe—when they resisted, I got out of my cart to help them, and collared Treadaway, while they searched Jones, who kicked at them—then there came more assistance, and the two men were taken to the Led Lion—I went in pursuit of the women, and found them four or five hundred yards further down the road—I asked if they would ride, they refused—I said, "I shall take the liberty of handing you into my cart, and taking you to town"—they went, and were taken to the Magistrate.

Cross-examined. *Q.* Was not Treadaway walking by himself? *A.* He was at that time—there were very few persons in my house that day—there might be three or four, besides them.

HON. MR. SCARLETT. *Q.* How far is it from Hill's to where Treadaway was standing? *A.* It might be 200 or 300 yards.

Thomas Jones. *Q.* Which of us four went out of the door first? *A.* The two women, and you followed instantly.

JOHN WATTS HILL. I am a baker and beer-seller, and live at Harrow. On the 26th of February Thomas Jones came to my shop, and asked for half-a-pint of beer—I served him—he offered a shilling which was bad—I said, "This won't do"—he said, "Why not?"—I said, "Because it is a bad one"—he wanted to look at it, and said it was a good one—he gave me another—a person of the name of Rowe came in—Jones had left my shop a few minutes—from an observation that Rowe made, I accompanied him to the road—Thomas Jones was walking down the road, and Treadaway was waiting—they joined before we got to them, about 200 yards from my house—I assisted Thrussell and Rowe in taking the prisoners

a violent resistance was made by both—they scuffled and got away a ›rt distance—we ran and took them again—I was passing with my horse d cart, where Darville was digging in a ditch on the 2nd of March, and said he had found a shilling—that was as near as possible on the spot ıere I had captured the prisoners.

MARY CHAPMAN. I am the wife of William Chapman, of Green-hill, ar Harrow, and keep a chandler's shop. On the 26th of February I *w* Thomas Jones betwixt one and two o'clock—he came for a penny-›rth of tobacco, and gave me a bad shilling—I did not see that it was bad mediately—I gave him the change, and asked him if it was good or bad he said it was very good—I saw it was George the Third's reign—two nutes after a man came in with herrings, and he said it was bad—I marked and put it into a bit of paper—I now produce it—I had put it into my cket, but I had no other shilling—I marked the shilling and saw it at ɜ office.

JAMES ROWE. I am a farmer. On the 26th of February I accompa-ɜd Thrussell and took the two male prisoners—they resisted—I took nes—I saw Thomas Jones take up a stone and throw it into a ditch—I w John Watts Hill look towards the ditch—Thomas Jones said, "What ɜ you looking for there?"—I took them to the Red Lion, and found on ·eadaway about 9*s*. in silver, and some coppers, all good—Thomas Jones d 11*d*.—as I was going into Hill's house, I met Thomas Jones coming out I was going to inquire whether two females were there, but they were not the stone was thrown after they had got from me—I had taken them, ıt Thrussell's horse went off, and he let Treadaway go, and they got ›m me, and then Thomas Jones threw the stone into the ditch—if there d been any thing else thrown, I do not think I should have seen it.

WILLIAM DARVILLE. I am a labourer, living in the Harrow-road. n the 27th of February I was clearing out a ditch near that place—I ınd five shillings first—I went back to the ditch, and found twelve lf-crowns and thirteen shillings more—I took them up and kept em till the Friday following—I then gave them to the Magistrate's ɜrk at Edgeware—he sealed them up in a paper, and gave them ɜ back again—I kept them till Friday—I then gave them to him again—first found the money wrapped up in a bit of paper—I cut the paper in ·o, and it tumbled down into the water with the money—I found another illing about twenty yards from there on the Thursday following—I kept till Friday, and then gave it to Mr. Hill.

JOHN WATTS HILL *re-examined*. I have a parcel which I got from Mr. udell, the Magistrate's clerk—Darville produced it—it was sealed up by udell, given back to Darville, and at their re-examination it was opened, ıd given by Mr. Tudell to me for security, by order of the Bench—it was id on the Magistrates' table.

Cross-examined. *Q*. Were you in the office all the time? *A*. No, I ent out while they were examined.

MR. POWELL, Jun. I was present before the Magistrate—I saw ›me counterfeit money produced by Hill on the day they were com-itted for trial—Hill brought the money into the Court—a man named arville had possession of the money at first, because he swore that he ıd found it in a ditch—I saw it produced on the table on the day they ere committed, by Darville, and it was then taken possession of by Hill,

sealed up in a paper—when it was produced I saw the seal broken—I believe it was placed on the table before the Magistrate, and Hill, after his examination, took it—I do not know that it was delivered to him.

Cross-examined. *Q.* What are you in the Mint? *A.* Assistant to the Solicitor and the Inspector of Coins—my father came out of this Court to fetch me in to be a witness—he told me that I was wanted in this case—he said, "Was you present on the examination of these people?"—I said, "Yes"—he said, "Then you are wanted in Court," that was all—he did not ask me on what examination—I did not know that I was coming to prove this was the money—I came here without knowing what for—I said Hill produced it, because I thought he did, but I recollect that Darville was the man who found it—I dare say I recollected that from your first mentioning the name of Darville—I was not out of the office—I was there as soon as the prisoners were in—I will not swear that Darville was not in the room before me—the money was produced on the table—I do not know that it was given either to the Magistrate or the clerk—I do not know that he gave it to any one in particular—Mr. Tudell was sitting next to the Magistrate.

COURT. *Q.* Were you present when the seal was broken? *A.* Yes—I believe I broke it open myself, to look at the money—I was there till it was sealed up again—Darville brought the money in—I believe there was only one person with it—I saw but one—there were a number of persons in the room.

JOHN FIELD. I am Inspector of Coins to Her Majesty's Mint, and have been so many years. This coin is all counterfeit—the half-crowns appear to have been cast in the same mould as the one first passed, and five or six of these shillings appear of the same mould as the one produced by Chapman—six or seven of them are of the same mould as the one that was found in the ditch.

Cross-examined. *Q.* Is not this first half-crown one that they might very easily pass on an illiterate person? *A.* Yes, I think it is.

MR. PHILLIPS *to* JOHN THRUSSELL. *Q.* Did you take Treadaway to the station-house? *A.* No, the constable did—he is not here—I believe Treadaway was discharged, and taken again.

Thomas Jones's Defence. I never saw this other man before, if I were to die this moment—the money was sunk three or four inches in the bank—I could not throw it so far as that.

ELIZA JONES—GUILTY.—Confined Six Months.
THOMAS JONES—GUILTY.—Confined One Year.
SMITH and TREADAWAY—NOT GUILTY.

1018. GEORGE GERRARD was indicted for a misdemeanor.

FREDERICK DARBEY. I am shopman to Mr. Ward, tobacconist, in Oxford-street. About twenty minutes past ten o'clock at night, on the 14th of March, the prisoner came into the shop, went to the glass where we keep cigars, and selected one—he put down a good half-crown, and as I was going to give him change, he said he thought he had halfpence enough—I heard some halfpence rattle in his coat pocket—he said he had but three halfpence, and he then put down a bad half-crown—I gave him 2*s.* 4*d.* change—I bent the half-crown, and took hold of him—two persons came out of the parlour—I went and got a constable.

Cross-examined by MR. PAYNE. Q. Did he appear to be sober? *A.*

He pretended to be very tipsy—if he had gone out immediately after I should have supposed that he was tipsy—I heard a lot of halfpence rattle in his pocket when he put his hand in.

MR. THOMPSON. *Q.* When he was given in charge did you see any alteration in his manner? *A.* He did not seem to be tipsy at all—I *chucked* down the half-crown on the counter, and he snatched it up, and put it behind him, and they could not get it from him for some time—I do not think he was drunk—I saw the half-crown was bad, but I did not take it off the counter till I gave him the change.

HUGH BYRNE LEVETT (*police-constable D* 161.) I went to the prosecutor's shop, and saw a half-crown on the counter—the prisoner snatched it from the counter—I got it again after some difficulty—it was picked up and given to me—I produce it—I took the prisoner into the parlour—he appeared excited on my first appearance, but when I had been there two or three minutes he appeared quite sober—I found on him a purse containing twenty-nine sovereigns, one half-sovereign, and some silver; making altogether in silver in his purse and pockets, 29*s.*—there were three half-crowns, nineteen shillings, three sixpences, three fourpences, all good; and in his coat pocket, twelvepence-halfpenny, a gold watch, a silver chain, a split ring and key—on the way to the station he said, "It is but one piece, to-morrow is Thursday, Mr. Powell knows me."

Cross-examined *Q.* Had you mentioned Mr. Powell's name? *A.* No—not a syllable on the subject.

MR. FIELD. This half-crown is counterfeit in all respects.

COURT *to* FREDERICK DARLEY. *Q.* What pocket did he put his hand into? *A.* His left-hand coat pocket—that was the same pocket as the copper was taken out of afterwards—I believe there was no handkerchief or paper in that pocket.

HUGH BYRNE LEVETT. There was no handkerchief in that pocket, nor paper.

GUILTY.* Aged 21.—Confined One Year.

1019. JULIAN SOMERVILLE, *alias Francis Alexander Randall* was indicted for stealing, on the 17th of March, 66lbs. weight of tea, value 15*l.*, and 1 tea-chest, value 15*s.*; the goods of Daniel Deacon, and others.

JOSEPH WILLIAM LOVERING. I am a carman in the service of Daniel Deacon, and others. I was driving a wagon of theirs on the 17th of March, about nine o'clock at night, through Oxford-street—I stopped at Charles-street, went to the back of the wagon, and missed a chest of tea, which I had from Fickson & Co., in Queen-street—it was directed to go by Daniel Deacon—it had been on the front of the wagon—my mate was asleep on the top of the wagon.

GEORGE UNSWORTH. I live in Hanway-street, and am a china-dealer. On that Saturday, about nine o'clock, I was in Oxford-street, and saw the prisoner reach a box from the wagon—I am certain he is the man—in crossing the road a driver of an omnibus called to him, and a hat fell—he did not stop, but went on—I followed him through Hanway-street—I there saw a policeman—I told him, and the tea was taken on the prisoner's shoulders.

Cross-examined by MR. CLARKSON. *Q.* Which side of the street were

you? *A.* On Hanway-street side—the wagon was on the opposite side, about seven or eight yards from me—the wagon was close to the pavement on the other side, three doors from Charles-street, and nearly opposite Hanway-street—it was light enough to see the prisoner for he passed me within a yard—I saw a hat fall, and when he passed me his head was bare, that I am quite positive of—I saw another person pick up the hat, it was a black one—the person who had the chest of tea, went up through Hanway-street—it winds up to Tottenham-court-road, so that a person cannot see from one end to the other—I never lost sight of the prisoner—the same policeman is here now—I saw no other vehicle passing besides the omnibus.

COURT. *Q.* How long elapsed between the time of your seeing the man take the chest, and your seeing the prisoner carrying it with his hat off? *A.* Not more than two minutes—I did not lose sight of him the whole time, except just the time of the omnibus passing, and it was not above a minute from the time of his passing me, till he was taken.

AARON WOOSTER. I am in the service of Fickson and Co., of Queen-street, grocers. On the 17th of March I sent a chest of tea to Leicester, for William Johnson—it was going by Deacon's wagon—Lovering was the wagoner—it contained 60lbs. of tea—this is the chest—(*looking at it.*)

Cross-examined. *Q.* How do you know it? *A.* By the number (1186) on the card, and on the wood.

COURT. *Q.* Have you any doubt that that is the chest? *A.* No; one of our clerk's writing is on the card—I am sure of it—it was corded in this way.

MR. CLARKSON. *Q.* How many hundred chests do you send out in a year? *A.* I cannot tell—the square ones are all corded in this way—it is the warehouseman's business to make the entries in the books—I am a porter—I carried it from the warehouse, and put it into the wagon—we only sent that one chest off that evening—the warehouseman gives me a note of it, and I give it to the wagoner—I do not always read the addresses, but I did that one, before I nailed it on—I cannot tell what any other address was—his address is "William Johnson, Leicester"—he is not a carrier—I have looked at the direction on the chest to-day.

COURT. *Q.* You nailed that one on that day? *A.* Yes; I nailed no other to "William Johnson, Leicester," that day.

JOHN ANSER WHEELER. I am principal clerk to Daniel Deacon, and others. He has other partners.

Cross-examined. *Q.* How many are there? *A.* I should think somewhere near twenty—William Johnson, of Leicester, is a customer of ours—this would not be entered in the carman's book till it gets to the wharf, but we are answerable for it from the moment it is delivered to our servant.

EDWARD CAMPION (*police-constable E* 45.) I took the prisoner with this tea on his shoulder, twenty yards down Great Russell-street.

Cross-examined. *Q.* What did you find on his head? *A.* Nothing—no cap—he had the bosom of his coat buttoned, and from the bosom of his coat he took a cap.

MR. CLARKSON *to* JOSEPH WILLIAM LOVERING. *Q.* Where was the wagon standing? *A.* In Oxford-street, on this side of Charles-street—I was at the near hind wheel—my partner is not here—he was lying on some harness asleep—the harness was in the tail of the wagon, a yard or a yard and a half from the chest—it was put in edgeways between the rail and half a

butt of currants—I could not reach it myself to take it off—I was two minutes at the utmost at the tail of the wagon—I called three times to my mate when I missed it, and he answered me—I did not lose a hat.

Witness for the Defence.

THOMAS MORGAN. I keep the Robin Hood, Shoe-lane. The prisoner was at my house that Saturday evening about six o'clock—he had a small parcel in his hand—I always understood him to be a light porter—he had a cap on his head, which he generally wears—I should say this was the same sort of cap—(*looking at one.*)

COURT. *Q.* How long have you lived there? *A.* Very nearly a year and a half—I am the proprietor.

Prisoner. I am innocent of this charge as any man living—I received it at the corner of Great Russell-street, and I had this cap on at the time, and had no other on my head at all.

GUILTY. Aged 46.—Transported for Seven Years.

1020. WILLIAM TOWNSEND was indicted for stealing, on the 3rd of April, one sheet, value 2*s.*, the goods of William Perry.

JANE PERRY. I am the wife of William Perry, and keep a lodging-house, near Gravel-lane. On the 3rd of April the prisoner came to lodge at my house—the next morning, between eight and nine o'clock, I followed him out, and asked if he had not got a sheet of mine—he said no—I asked him to come back, and he did; and while the girls were gone for a policeman, he took my sheet out of his hat—this is mine—(*looking at one.*)

Prisoner's Defence. I took it because I was very hungry.

GUILTY. Aged 29.—Confined Three Months.

1021. JOHN BETTS was indicted for stealing, on the 17th of March, 1 handkerchief, value 1*s.* 6*d*, the goods of John Dixon, from his person; and that he had been before convicted of felony.

JOHN DIXON. I keep the Rose and Crown, King-street, Westminster. I was at Broad Sanctuary on the 17th of March, about a quarter-past twelve o'clock at noon—somebody gave me information—I missed my handkerchief, and saw the prisoner walking away, twisting it up—I said "Stop, I want you"—he ran off—a man ran and took him—he threw the witness, Facey, down against the railings—we pursued him again, and he tried to throw the handkerchief into the square, but the wind took it, and we picked it up—this is it—(*looking at it.*)

JAMES FACEY. I saw the prisoner running, and I took hold of him—he threw me down—we pursued him again, and he threw down this handkerchief.

Prisoner. It was a temptation; the gentleman had the handkerchief hanging out of his pocket.

JOHN BOOTH. I am a watchman. I got this certificate of the prisoner's former conviction from Mr. Gilby's office, at Westminster—(*read*)—he is the person.

GUILTY. Aged 20.—Transported for Ten Years.

1022. SIMON JENKINS and WILLIAM PERRY were indicted for a misdemeanor.

THE HON. MR. SCARLETT *and* MR. THOMPSON *conducted the Prosecution.*

MATTHEW HAMILTON. I live in Charlton-street, Somers-town, and am

and then asked me to let him have twopenny-worth of turnip-to
gave me a half-crown—I did not look at it particularly—I took
apron to give him change—he said, "I think I have got halfpenc
put his hand into his pocket, and said he had not enough, he mu
me a half-crown—he then took four or five half-crowns out of his
and gave me one—Hamilton came in soon after, and asked if it
good one, and I then found it was not—I gave it to the officer.

WILLIAM HONEY (*police-constable S* 151.) On the 31st of March
Church-way—I followed the prisoners from a description I had
them—I saw them about a quarter before twelve o'clock, and s
them—they were walking quite quickly—I told a man to follow m
moment I took them, Jenkins dropped a half-crown, which I took
this is it—Jenkins pretended to be drunk, but when I got him i
station-house he appeared sober—I found 1¼*d.* on Jenkins, and 19
and 11½*d.* in copper, on Perry, with twopenny-worth of turnip-to
up in a handkerchief, nine eggs, half an ounce of tobacco, and abo
an ounce of tea.

Jenkins. *Q.* How many people might be round? *A.* I cannot
it was a market evening, and it is a great thoroughfare—no persons
me following them that I could see—I do not suppose that there we
round us—I saw the half-crown drop from your hand.

JOHN FIELD. I am Inspector of coin to the Mint. These half-
are both counterfeit, and from the same mould.

Perry's Defence. I have known Jenkins three or four years—I m
that evening—he asked me to wait for him a few minutes—I said I
—as to the conversation that the witness states passed it is all false—
went to the Regent's Park, but my master's factory was shut up—
turned, and got drinking.

PERRY—GUILTY. Aged 25.
JENKINS—GUILTY. Aged 24. } Confined One Year.

broker's shop in Upper Rosoman-street. On the 4th of March, between one and two o'clock, I was in my room, and was called—I went into the shop, and a boy wanted to know the price of a box—I saw the prisoner take up this work-box at the door, and run away with it—I have never seen it since—I am sure he is the boy—I knew him before—the other boy was taken, but he was discharged yesterday.

Cross-examined by MR. PHILLIPS. *Q.* Do you know the boy Negus? *A.* Yes, some years—I got no information from him—I have known the prisoner, I think, two years, to speak to him—I do not know the boy Murcott—I had him taken up—he was in the shop talking to me, while the prisoner went off with the box, and he stopped me from running out, or else I should have caught the prisoner—the Magistrate asked me if I knew the boy, and I said yes, I knew him well—I do not know whether that was taken down and read over to me—I did not see Jeffrey when I ran out of the shop, I lost sight of him.

MARY ANN SMITH. I saw the prisoner run from Mrs. Perry's with the box under his arm.

Cross-examined. *Q.* What day of the month was this? *A.* The 3rd or 4th—I do not know exactly—it was in the month of March, on a Saturday—I had known the prisoner before—I told the Magistrate so.

(The prisoner received a good character.)

GUILTY. Aged 15.—*Recommended to mercy.*—Confined Six Months.

1025. ELIZABETH PATCHING and FRANCIS LEWIS were indicted for stealing, on the 23rd of February, at St. George, Hanover-square, 1 £20, and 1 £5 bank-note, the property of Samuel Cartwright, in the dwelling-house of Christopher Lonsdale.

MR. DOANE *conducted the Prosecution.*

FRANCES CARTWRIGHT. I am the wife of Samuel Cartwright. In February last I was residing at Mr. Lonsdale's, in Old Bond-street—the prisoners were both servants in the house—on the 7th of December I received of Mr. Robson, a relative, 200*l.* in notes and cash—there were five £20 notes, five £10 notes, four £5 notes, and thirty sovereigns—I placed the notes in the banker's book, and put it into the carriage-case in the bed-room—I afterwards removed it, and put it into a drawer—I had expended some—on the 15th of February they were right—there was then 105*l.*—there were four £20 notes—on the 6th of March I had occasion to go to the drawer—I then missed 55*l.*—there were only two £20 notes instead of four—I had only 50*l.* remaining—I am sure they were the notes I had from Mr. Robson—the female prisoner had access to the room where the drawer was—my drawer was not kept locked—I sent for Mrs. Lonsdale, and told her of it, and it was known in the house—the two prisoners were both residing there at the same time.

Cross-examined by MR. JONES. *Q.* Has your husband any other name but Samuel? *A.* No—he had not been living in the house—I received the money from Mr. Robson in my own right—Mr. Lonsdale lives in this house, and I suppose he sleeps there, but I never saw him till the night of the 6th of February, when there was a fire at Mr. Atkinson's—I heard that his Christian name was Christopher—I heard that Lewis was one of the porters—I cannot inform you whether he assisted in the domestic duties—there was another female servant—I do not know whether she is here, nor whether she is still in Mr. Lonsdale's service—I put the money into my

GEORGE LLOYD ROBSON. I hold a commission in the 5th Guards. On the 7th of December I received from my aunt a ch I got these notes—I cannot tell the numbers of them—I received a Mr. Owen—I gave the same notes to Mrs. Cartwright.

DAVID OWEN. I am cashier to Martin, Call, Martin and Co. I remember seeing Robson, on the 7th of December, change a £2 —I gave him five £20 notes, from No. 10502, and I gave him notes and £5 notes—these are two notes that I paid him—(*lookin*

THOMAS WHITFORD. I am one of the cashiers of the Bank of On Wednesday, the 14th of March, a bank note, No. 10505, fo brought to me by the prisoner Lewis—he wanted sovereigns for him, on looking at my card, that payment was stopped, and he mu me to the Secretary—he said he brought it from Mr. Smith, si of No. 66, Conduit-street, Bond-street—on the note was written Harding, 66, Conduit-street"—that appeared to be fresh writte said he had not the number—I said that was no consequence, claim it by what he had written on it—he made no reply.

Cross-examined by MR. CHAMBERS. *Q.* What time in the da *A.* About four o'clock in the afternoon—it is about a hundred y where I was to the Secretary's office—if we find nothing wri front of a note, it is usual to require something to be written— tary asked him some questions, where he came from, and he tol this was a stopped note, and then I permitted him to go—we n persons—we retain the note, and the parties are to call again.

MR. DOANE. *Q.* Have you a £5 note? *A.* Yes, No. 378 paid from Jones, Lloyd, and Co.

Cross-examined by MR. JONES. *Q.* How do you know it there? *A.* I have an extract from the bank book—the note is our cash book—I did not receive it myself from Jones, Lloyd, I received it from the librarian at the bank.

—I then went down with Patching; she said, "I found the note last Tuesday, curled up in a bit of paper, in Mrs. Cartwright's room on the sofa; I gave the note to Lewis; I did not tell any one else about it, for fear it might be thought that I had stolen the other money"—I produce some articles here which I found at No. 4, Russell-court, Bow-street, where Lewis said he lived.

Cross-examined by Mr. Chambers. *Q.* When Lewis came in, Mr. Lonsdale spoke very kindly to him? *A.* Yes; and then he said what I have mentioned, which led to the ringing of the bell for the other prisoner.

Cross-examined by Mr. Jones. *Q.* Did any one else hear what Patching said to you on the stairs? *A.* No—I took her down, and Lewis came down afterwards—this took place in the drawing-room on the second floor—I did not say any thing to her before she said she found it on the sofa—I made no answer to her—she did not say that she did not know what it was, nor any thing of the kind—she did say she could neither read nor write, and did not know what it was—she did not say she took it to Lewis to ask what it was—I do not recollect that she said, that having given it to Lewis she left it with him—she said, "I went down stairs, and gave it to Lewis."

Mr. Doane. *Q.* Are you sure that she said she did not mention it, for fear it should be thought that she had stolen the other money? *A.* Yes.

Rebecca Lane. I am a lace-dealer, and live in Sidney-alley. The female prisoner came to my shop somewhere about the 20th of February—I am not sure as to the day—this was the first article I sold her—(*producing it*)—she purchased all these articles—they came to nearly 4*l.*—she gave me a £5 note in payment—I asked her for her name and address—she said her name was Edwards, 32, Piccadilly—I wrote that on the note in pencil—this is the note and my writing—I have no doubt about it—I am confident the prisoner was the woman.

Cross-examined by Mr. Jones. *Q.* What time in the day was it? *A.* Between six and seven o'clock in the evening, just about dusk—our lamps were lighted—I do not know, but I think I had seen her a day or two before—I did not know who she was—we always ask the name and address—I am not positive, but I think I saw her a week or two after—it was not so long as a fortnight, I am positive—she purchased a black lace veil and other things—they are sold in other shops—two young ladies and the boy were in the shop—none of them are here—Patching was in the shop half an hour—I do not know exactly, but I can say positively that she was a quarter of an hour.

Samuel Hughes. I saw Mr. Lonsdale at the office—he did not give his name then, but yesterday I heard him give his name as Christopher—his house is in the parish of St. George, Hanover-square.

Mr. Jones *to* Mrs. Cartwright. *Q.* How long had you lived there? *A.* Five or six months—Patching had been there all the time—she was not present when I made my loss known—I sent for Mrs. Lonsdale, and told her of it—I never saw Mr. Lonsdale—I believe Mrs. Lonsdale went down and named it.

(Christopher Lonsdale, of No. 26, Old Bond-street, and Caroline Baker, Brewer-street, Pimlico, gave the prisoner Patching a good character.)

PATCHING—GUILTY. Aged 25.—*Recommended to mercy.*

Transported for Ten Years.

LEWIS—NOT GUILTY.

glass, a razor-strop, a scent-bottle, twelve pairs of gloves, and oth
—they are the property of myself and partner—I can swear to th
paper round the gloves has our mark on it—they were safe on
mises on the night of the fire.

Cross-examined by Mr. Chambers. *Q.* You cannot tell th
missed but by your books? *A.* I can tell by our private marks
—I have taken stock—I have received a sum from the Insuran
for goods destroyed and damaged—I did not include the goods n
the upper part of the house was burnt, but none of the goods were
they were damaged by water—I lost no gloves, brushes, or bottle
large bottles were affected by the fire—many glass bottles and ch
broken—I made no claim for articles of the description that are h
Lonsdale lives in Bond-street—my shop is at the corner of Bu
gardens, in Bond-street—the things were all in glass cases, an
off—they were returned the next morning.

Court. *Q.* These were quite independent of what you clain
pensation for? *A.* Yes.

Samuel Hughes. I am a police-inspector. On the 16th of
found these things at No. 4, Russell-place, Bow-street—the p
mother was there.

Cross-examined. *Q.* Besides these, you found a scarf and
some other things, that Patching had bought? *A.* Yes—I f
things I now produce in two boxes, some in one, and some in th
the prisoner lived at Mr. Lonsdale's—he gave me his address
there, and found his mother and these things.

Jane Pitts. The prisoner is my son—the boxes belong
as far as I know—I saw them at the police-station—I did not se
my house—there were two boxes there belonging to my son, but
go up stairs till they were searched and locked up—I did not p
out to the officer, nor did his father-in-law, in my presence—th
not allow me to go up stairs till they were all shut up—I

—they were in my room, and I was kept down stairs by another officer, while they went up with his father-in-law.

SAMUEL HUGHES *re-examined.* A short time after we were there, the witness was down stairs, and then she came up, and saw these gloves in the room; and as the boxes were going down, she said they were her son's.

(Alexander Wylie, William Marriott, Benjamin Dickens, Benjamin Atkins, and John Reynolds, gave the prisoner a good character.)

GUILTY. Aged 24.—Transported for Seven Years.

1027. JAMES HOLMES was indicted for stealing, on the 16th of March, 1 hearth-rug, value 8*s.*, the goods of David Jones.

RICHARD COOPER. I am a policeman. I met the prisoner at a quarter-past six o'clock, on the evening of the 16th of March, with a rug—I asked him where he got it—he said that he was sent for it by a person in Tottenham-court-road—I asked him who—he said, "Mrs. Cavan"—I took him there, and she said she knew nothing of it.

EDWARD WILLIAM HUMBERSTONE. I live with Mr. David Jones, a silversmith and pawnbroker, in High Holborn. This rug is his—it was suspended outside on a rod, eleven feet and a half high from the ground—I do not know the prisoner.

GUILTY. Aged 18.—Confined Three Months.

1028. GEORGE PALMER was indicted for stealing, on the 22nd of March, 1 handkerchief, value 1*s.* 6*d.*, the goods of Alfred Perkins, from his person.

ALFRED PERKINS. I am in the umbrella business. On the 22nd of March I was in St. James's-park, about one o'clock—I was walking along with the crowd, and felt a slight pull at my pocket, and on looking round, I saw the prisoner wiping his mouth with my handkerchief—I was in the act of taking it from him, and the policeman reached over and took him—this handkerchief is mine—(*looking at it.*)

JOHN PASMORE MUMFORD. I am a policeman. I was in the Park and saw the prisoner put his left hand into the prosecutor's pocket—by the time I got to him he had got it to his mouth—I took him with it.

Prisoner's Defence. I had been to St. Bartholomew's Hospital as a out-patient, and on returning home I fell in with the band of a regiment—there being a great crowd I was nearly thrown down—I saw a handkerchief on the ground—I picked it up, and while I was looking at it the prosecutor said it was his, and I gave it him.

GUILTY. Aged 27.—Confined Three Months.

1029. DAVID HOTT, *alias George Johnson*, was indicted for stealing, on the 22nd of March, 1 time-piece, value 2*l.*, the goods of John Budd.—2nd COUNT, stating it to be the goods of William Nedby and others.

THOMAS CLEMENTS. I am an assistant to William Nedby and others, who are auctioneers. There was a sale on the 22nd of March in Surrey-street, Strand—they were employed as auctioneers by the executor, John Budd—I was there as their agent—there was a time-piece, which I removed to the back parlour the night before the sale—it was safe when the sale began, about half-past twelve o'clock, and about half-past one o'clock I missed it

—I had noticed the prrisoner there—he asked me for a catalogue—this is the time-piece—(*looking at it.*)

Poisoner Q. Was there any other person in the place? *A.* Yes; but not in the parlour—I did not see you in the parlour, but within two feet of the parlour-door—I had not seen you before—I pointed you out at the station-house because I recollected you—I swear this is the dial—I should have sworn to it from a thousand—I described it to the policeman.

HENRY HUBBERTY. I am an officer. I fell in with the prisoner, and saw him talking to Davies, near Crown-street, Westminster—he had something in a black handkerchief—I asked him what he had got—he said "A time-piece"—I took him to the station—I asked to look at what he had got, and he refused at first to let me look, and then I told him I should take him to the watch-house, and he showed me the time-piece—I asked where he got it—he said I had no right to ask him that question, and he should not tell me—when I got him to the station, he said he bought it at Brixton, that day fortnight, at a sale—I found on him a catalogue of a sale, but not the sale where this time-piece was stolen—I made inquiry, and found out this sale.

Prisoner. You asked me what I had got in my hand, and the person with me said you had a right to know, and then I showed it you immediately.

WILLIAM DAVIES. I fell in with the prisoner at the Mitre, in King-street, Westminster—he said he had no money, and asked if I would treat him with a pint of half-and-half—he then took this time-piece out of his pocket behind, and asked me to buy it for fourteen shillings.

Prisoner's Defence. I bought the time-piece of a person at a sale at Brixton-rise, at the beginning of March—I gave fifteen shillings for it—I know the person, but do not know his name nor where he lives—he was at the sale, and I bought it of him afterwards—I was at the West end of the town all that morning, and was not near Surrey-street, Strand—I do not know the residence of the person I was with, or I would have sent to him.

GUILTY.* Aged 37.—Transported for Seven Years.

1030. GEORGE NEWMAN was indicted for stealing, on the 20th of December, 1 plane, value 1*s.*; 1 file, value 1*d.*; and 1 plumb bob, value 1*s.* 6*d.*; the goods of Peter Scott.

PETER SCOTT. I am an engineer. I lost these articles from Mr. Saunders's, a soda-water maker—the prisoner was his servant—I missed some tools, and could not account for it—Mr. Saunders then missed some things, and then these things, (*looking at them*) which are mine, were found at the prisoner's lodgings.

Prisoner. That plane I have had eighteen months—I gave 1*s.* 3*d.* for it. *Witness.* I know it to be mine by a mark in it—I missed it about December; and this plumb bob I can swear to.

WILLIAM WILSON. I am an officer. I searched the prisoner's lodgings on the 20th of March, and found these articles there—he told me he lodged there, and gave me the key.

GUILTY. Aged 22.

1031. GEORGE NEWMAN was *again* indicted for stealing, on the 20th of January, 1 spoon, value 2*s.* 6*d.*; 1 handkerchief, value 2*s.* 6*d.*; 4 bottles, value 1*s.*; 1 brush, value 6*d.*; 1 pair of scissors, value 6*d.*; 1

blow-pipe, value 1*s.*; 1 packing needle, value 1*d.*; and 3 printed books, value , the goods of George Saunders, his master.

George Saunders. I am a soda-water manufacturer, and live in Clarendon Grove, Somers Town. The prisoner lived with me three years, as a labourer—I missed things for some time, and told the policeman, who searched his lodgings, and found some things of mine.

Henry John Beaumont. I am a pawnbroker, and live in Ossulston-street. I produce a silver salt-spoon, pawned, to the best of my recollection, by the prisoner.

William Wilson. I am a police-sergeant. I went to the prisoner's lodgings, and found these other articles, and a duplicate of this salt-spoon in his box, which induced me to go to the pawnbroker's.

GUILTY. Aged 22.—Confined Six Months.

1032. JOHN REEVES was indicted for stealing, on the 19th of March, 2 boots, value 1*l.*, the goods of Samuel Bryan.

Thomas Potter. I live in Bateman's-buildings, Soho-square, and am a *cab*-driver. I was going up Oxford-street, about a quarter past six o'clock, on the 19th of March, and saw the prisoner take two boots from the door of Mr. Bryan's shop—he got a space from the door, doubled them up, then put them under his arm, and ran off—I said to a man, "That man has stolen these boots"—I went on, and got to Crown-street—the man belonging to the boots overtook me—I told him—I then went on towards St. Giles's Church, and saw the prisoner opposite the churchyard, in conversation with two women—I went across, and said, "Old fellow, you have got a good pair of boots there"—he said, "Yes; I make them"—I said, "Yes, you made them pretty quick, for I saw you take them from a man's door"—he up with his fist, gave me a *rap* on the side of the head, and down I went—I got up, and said I would follow him—he went on to Bainbridge-street, and stopped at a door, and said, "I live here"—I said, "I shall stop and see you go in"—he said, "Then I will not go in now"—he then went on to the "Rookery," and I was afraid to follow him—he was taken by the policeman.

Prisoner. You said you did not see me take them. *Witness.* I saw you take them, but I did not know that you stole them till you doubled them up, and ran away, or I could have stopped you—I did not see a policeman when I saw you the second time.

Thomas Bell. I am a servant out of place. On the night in question I was standing at the prosecutor's door—I saw the prisoner come by, and take two boots—I went and called Mr. Bryan's man, and we went after him, but did not overtake him—I afterwards saw him in custody, and am confident he is the person.

John Samuel Allen. I am shopman to Mr. Samuel Bryan. Bell told me that a man had taken some boots—I went out and saw a man a hundred yards before me—I followed him, but we lost him—from the description I had of the man, and what I saw of him, I believe the prisoner is the man—the boots are quite lost.

Prisoner. *Q.* Could you swear to me? *A.* I believe you to be the man—he had a jacket on similar to the one you have now.

Henry Butler. I am a policeman. I apprehended the prisoner, in consequence of the description the witness gave me.

GUILTY. Aged 36.—Transported for Seven Years.

1033. JULIA HOROGAN was indicted for stealing, on the 23rd of March, 18 yards of printed cotton, value 3*s.*; 1 shirt, value 1*s.*; 1 pillow-case, value 6*d.*; 1 flannel wrapper, value 3*d.*; and 1 cream-jug, value 6*d.*; the goods of William Poulton.

MARGARET ANN BEST. I know the house of Mr. Poulton, in Wild-street—on the 23rd of March I saw the prisoner there, between four and five o'clock—she took a piece of bed-furniture down out of the passage, and went away—I went and took it from her, and brought her back to the shop.

ELIZABETH POULTON. I am the wife of William Poulton—we keep a second-hand clothes shop. This bed-furniture (*looking at it*) is my husband's—I never saw the prisoner till she was taken.

PETER JOSLIN. I am a policeman. I took the prisoner, and have the property.

(*The prisoner pleaded that she was intoxicated at the time.*)

PETER JOSLIN. I believe she had been drinking, but she knew perfectly well what she was about.

GUILTY. Aged 39.—*Recommended to mercy.*—Confined Five Days.

1034. ELIZABETH THOMPSON was indicted for stealing, on the 16th of March, 2 pillows, value 4*s.* 6*d.*; and 1 blanket, value 2*s.* 6*d.*; the goods of George Robert Wood.

GEORGE ROBERT WOOD. I live in Whiskin-street, and let lodgings. The prisoner came to lodge with me as a single woman, in January—about five weeks' rent was due—she is a dress-maker—on the 16th of March we took her on suspicion of some other property which was lost in the house, and then I missed my blanket and pillows—they were let to her with the lodgings.

JOHN DAVIS. I am a pawnbroker, and live in St. John-street. The prisoner pawned this blanket with me on the 31st of January, and one pillow on the 9th of February.

Prisoner. I never saw the things I was accused of taking—I was remanded six times, and dragged through the streets with the very dregs of society, and then put into a prison, and had I not been taken, I should have replaced these things on that Saturday.

GEORGE ROBERT WOOD. She took the room in January, and had plenty of work, but did not do it—when she had work she pledged it, which made me suspect her.

GUILTY—Aged 46.—*Recommended to mercy by the Jury.*
Confined Six Days.

1035. GEORGE LEE was indicted for stealing, on the 12th of March, 1 coat, value 20*s.*; 1 pair of trowsers, value 10*s.*; 1 hat, value 7*s.*; and 1 handkerchief, value 3*s.*; the goods of William Clement.

WILLIAM CLEMENT. I live in Swan-street, and keep a coal-shed. The prisoner occupied a bed at my house for five or six days—he took it by the week—on the 12th of March I was out in the evening, and returned at half-past eight o'clock—when I went out my coat, and trowsers, and handkerchief, and hat, were safe—when I returned they were gone, and the prisoner also—he did not return to sleep there that night—I found him on

the Monday following, in the City workhouse—I asked him about the things—he said he had pledged them, and he named different places—we could only find this handkerchief, which he said he sold to a boy, and the boy sold it to a woman in Field-lane, and there it was found.

WILLIAM WATTS. I work in Field-lane, in the employment of Mr. Saunders. I bought this handkerchief of the prisoner for 1*s.* 6*d.*—I sold it again for 2*s.* in Field-lane, to a person who keeps a shop.

ROBERT PENNER. I am a policeman. I found this handkerchief in Field-lane from information I received, and I took the prisoner.

Prisoner. The prosecutor persuaded me to tell, and said he would forgive me—I went and showed where the handkerchief was.

GUILTY.* Aged 18.—Confined Six Months.

NEW COURT.—*Saturday, April 7th*, 1838.

Fifth Jury, before Mr. Recorder.

1036. EDWARD LOWE was indicted for stealing, 4 live tame fowls, price 5*s.*, the property of Henry Lowe; to which he pleaded

GUILTY. Aged 65.—Confined Six Months.

1037. JOHN BACON and GEORGE CLARK were indicted for stealing, on the 22nd of March, 5 pairs of clogs, value 6*s.* 6*d.*, the goods of George Row.

PRISCILLA HILL. I am fourteen years old, and am a servant. On the evening of the 22nd of March I was at the shop window of Mr. Row, in Kingsland-road, and saw the two prisoners—Clark took the clogs from the door—he dropped them under the window, picked them up, put them into Bacon's apron, and he ran away with them—they both ran together—Clark told me to say nothing—I went directly into the shop and told the people—they were together before—I was going by the door, and saw him put his hands in the door and take them.

GEORGE ROW. I live in Kingsland-road, and am a shoemaker. On the evening of the 22nd of March, I went to my shop door, in consequence of what I was told—I missed a bundle of clogs, five pairs—they had been hung just inside the door—I had seen them safe ten minutes or a quarter of an hour before I got information from Hill.

THOMAS TEAKLE (*police-sergeant H* 8.) On the 22nd of March I was with Sergeant Power, in Wheeler-street, Bethnal-green, and met both the prisoners—Bacon had something in his apron—I laid hold of Bacon, and Clark ran away—I found on Bacon these five pairs of clogs, with the ticket on them—I asked where he got them from—he said his master—I asked where he lived—he said near Shoreditch church—I asked what number—he then said, "I know nothing about them, the other boy gave them to me."

DENNIS POWER (*police-sergeant H* 18.) I was with Teakle when he stopped the prisoners—he has given a correct account of what passed—I apprehended Clark when he ran away, and Teakle detained Bacon.

Bacon. I was going up Kingsland-road, and when I got to Mr. Row's shop I saw Clark there, and these were not quite under the window—he picked them up and gave them to me—he did not say where he got them from.

Clark. I met Bacon going up Kingsland-road, and he told me he had

picked up a bundle of clogs—he said he would tie them up in his apron, which he did.

BACON*—GUILTY. Aged 19. } *Recommended to mercy by the*
CLARK*—GUILTY. Aged 17. } *Prosecutor.*—Confined Six Months.

1038. MARY DOBIE was indicted for stealing, on the 22nd of March, 3 table-cloths, value 3*l.*; 1 sword, value 2*l.*; 9 window curtains, value 2*l.*; 30 towels, value 30*s.*; 10 linen cloths, value 10*s.*; 2 counterpanes, value 2*l.*; 1 ink-stand, value 2*s.*; 2 chimney ornaments, value 2*s.*; 4 curtain brackets, value 4*s.*; 4 Venetian blinds, value 4*s.*; 20 chair-covers, value 4*l.*; 1 linen-cloth, called a layover, value 1*l.* 10*s.*; 2 drinking horns, value 2*s.*; and 4 packing cases, value 1*l.*; the goods of Francis William Earl of Charlemont, of that part of the United Kingdom called Ireland, her master; and ROWLAND DOBIE for feloniously receiving the same, well knowing them to have been stolen.

MR. PHILLIPS *conducted the Prosecution.*

WILLIAM HAINING. I am a police-inspector. On the 22nd of March I went with Collier to the male prisoner's residence, at No. 26, Wood's-mews, Park-lane—I found him at home, and told him I was come to search his lodgings, if he would consent—he said he had no objection—I searched his bed-room, there was a very large box there—I found this table-cloth in it—the box was locked—he took the key and unlocked it for us—I found this sword in the same box, and a variety of towels, table cloths, silk handkerchief, seven pairs of sheets, and this counterpane—(*producing them*)—there is a great deal more—here are towels, printed cotton, and a variety of other things, and a great quantity of carpeting—I searched other boxes, and found other things—I asked where he got the sword from—he said he had it given him when he was in Ireland by a butler in France, named Le Maitre—I asked him about this large table-cloth—he said Mary his wife knew about that—his wife came in while I was searching, and I asked her if she knew any thing about that table-cloth—she said Mrs. Clarke, Earl Charlemont's housekeeper in Dublin, gave it her—I showed her his Lordship's coat of arms on it, and asked her what she would say to that—she said it would be the ruin of both of them—her husband was in the other room—I do not think he heard her—the next day I took both the prisoenrs into custody—several things had been marked, and the marks erased—here is a napkin with the mark picked out, and upon this, in another corner, the initials of the prisoner's are worked.

Cross-examined by MR. DOANE. *Q.* You told this man at once what you came about? *A.* Yes; he assisted me in searching—I did not take him till the next day, and then found him at his situation.

WILLIAM ROBINSON. I am butler to Earl Charlemont, and have been so for six weeks. Mary Dobie lived in his service up to the 23rd of March—his lordship was then in Ireland, but the family were living in Lower Grosvenor-street—Earl Charlemont had horn cups like these, and two have been missed—they were found in another box at the male prisoner's.

JAMES GRIFFITHS. I was butler to Earl Charlemont last February. I left the first week in March—I know this sword—I cleaned it some time after Christmas, and greased it, and gave it to Mary Dobie, and told her to take it to his lordship's room, as my cupboard was rather damp—I knew Le Maitre, I succeeded him—he left the service last July, more than six months before I had given Mary Dobie the sword to take care of—I had it in my possession from July, till I gave it her.

CHARLOTTE CLARKE. I am housekeeper in Lord Charlemont's establishment in Ireland. I never gave this table-cloth to Mary Dobie—I have been brought from Ireland on this subject—I knew there was such a table-cloth in the cupboard, which was not often made use of—I did not miss it.

Cross-examined. *Q.* Have you ever given some linen to servants which have been somewhat worn? *A.* Yes, some old towels—there have been some things added to his lordship's house the last year or two—it has not been furnished.

MR. PHILLIPS. *Q.* Is that a table-cloth perfectly fit for use? *A.* Yes.

FRANCIS WILLIAM EARL CHARLEMONT. My title is the Earl of Charlemont, of the kingdom of Ireland.

Cross-examined. *Q.* How long had this man been in your service? *A.* About seven years, from the year 1830—I parted with him because I had no further occasion for a groom—I recommended him to Lord Haward—the woman has borne the very best character—she was upper-housemaid—I had no doubt of the honesty of either.

MARY DOBIE—GUILTY.—Aged 30. } Transported for Seven
ROWLAND DOBIE—GUILTY.—Aged 32. } Years.

(There was another indictment against the male prisoner.)

1039. DAVID WELLING was indicted for stealing, on the 13th of March, at St. Pancras, 37 sovereigns, 15 shillings, 10 sixpences, 1 £10 and 2 £5 Bank-notes, the property of Caleb Fowler, in his dwelling-house; and JAMES BROWN for feloniously receiving 22 sovereigns, and 2 £5 Bank-notes, part of the said property, well knowing it to have been stolen; another COUNT charging Brown as an accessary after the fact.

CALEB FOWLER. I keep a grocer's shop in Augusta-street, Regent's-park. On Tuesday, the 6th of March, Welling came to me as errand-boy—he slept in my house—on the evening of Tuesday, the 13th of March, I went to my bed-room—I kept my money in a cash-box in a drawer there—I found the lock of the drawer wrenched off, and the cash-box open—the key was in the cash-box—I missed one £10 note, two £5 notes, and gold and silver, which amounted to 38*l.* at the least—there was perhaps twenty-four or twenty-five sovereigns—my wife had counted the money on the Monday morning—I had not taken out any after that—my room door was usually left unlocked—I had dismissed the prisoner Welling—at one or two o'clock, and I missed this between seven and eight o'clock in the evening—he had come home that day intoxicated—Mrs. Gauntlett keeps a house next door, and when I dismissed Welling, I observed he went there—I gave information to the police as soon as I discovered the loss—I found him in custody at the station the following Sunday, as near as I can recollect—I said, "David, how came you to do this?"—he said he was tipsy, and before I went away he said he hoped I should look over it—I said, "Did you do it when we were at dinner?"—he said, "No, in the afternoon"—the policeman produced 22*l.*—there were two £5 notes—I was able to speak to one of them, as my name was on it.

Cross-examined by MR. PRICE. *Q.* Somebody had been making Welling drink? *A.* I do not know—he came home drunk, and I dismissed him—I had no occasion to find fault with him before—I was very much surprised to find him in that state—he had lived twelve months with the gentleman whom I succeeded—he was not living with him when I took him—he had a good character.

AMELIA GAUNTLETT. I am the wife of Charles Gauntlett, a carpenter, in Augusta-street, Regent's-park. I have known Welling between two and three years—I knew him to bear a most excellent character by his former master, Mr. Langley—I took him into my house on the 13th, when Mr. Fowler turned him away for getting tipsy—I asked him if he had done any thing wrong besides getting tipsy—he said, no; not that he knew of —I allowed him to lie down in a back room, on my children's bed—I went to him—he was putting the bed clothes smooth, and going to leave the house—I saw him with two sovereigns and six shillings—I said "Whose is that, Mr. Fowler's?"—he said "No"—I said, "Is that yours?"—he said, "No; a person gave it me to take care of."

Cross-examined. *Q.* You requested him to go home? *A.* Yes—I meant to his parents—they live in the neighbourhood—he was not able to walk, and he was not quite sober when I desired him to go home; but he said he was better—he was helplessly drunk when he came, and obliged to take hold of the railings as he stood at the door—he said two girls had been giving him some rum—I have known him three years down to the present time—he has always been a well-conducted boy.

GEORGE PALMER (*police-sergeant E* 17.) On the morning of the 18th of March I went to No. 13, Buckridge-street, St. Giles's, about one o'clock, and found the two prisoners in bed together, in a room by themselves, apparently asleep—they got up at my desire—Collier, at my request, turned down a bolster, and there was a parcel containing 39*l.* 15*s.*—I took charge of Welling—his jacket, trowsers, waistcoat, stockings, and silk handkerchief were all new—I asked him at the station-house how he came to commit such a robbery?—he said he was drunk when he did it—I found two shillings in his pocket—the landlady gave me a bundle—Welling claimed it as his—it consisted of a pair of trowsers, two shirts, a hat, some lemon-peel, and other things.

GEORGE COLLIER (*police-constable E* 38.) I went with Palmer—I turned the bolster of the bed up, and found a handkerchief containing two £5 notes, twenty-two sovereigns, four half-sovereigns, and 5*l.* 15*s.* in silver—this was on the Saturday following the robbery.

JAMES COBBIN (*police-constable E* 79.) I took the prisoner, Brown, into custody—his clothes were new—he said he bough tthem at Whitechapel —Welling said the same—I found on Brown two knives, and two-pence a half-penny in copper, no silver.

ELIZABETH FOWLER. I am the wife of Caleb Fowler, the prosecutor. On Monday, March the 12th, I counted the money in the cash-box—there was £58 altogether—there was a £10 note, a £5 note, a large quantity of silver, and some gold—I left the key in the cash-box, and put the key of the drawer into my pocket—I had a mode of depositing the cash-box at night for better security—I saw the cash-box on the morning of the 13th, safe—I put in another £5 note, and took out five sovereigns—I left the same amount of money—I had kept the key of the drawer myself.

HENRY OAKES. I live with my father and mother in Ernest-street, Regent's-park. I heard of the robbery on the evening of the 13th—on the morning of that day, between eleven and twelve o'clock, I saw Welling come out of his master's shop, with a basket—I was in Cumberland-market —I could see the shop from there—Welling whistled to Brown to come to him, and they went up Augusta-street—I saw Welling go back to his master's shop—I was walking behind them—I could not hear what they said—I

did not see any opportunity that Welling had of getting any drink—he was sober when he got back to his master's about twelve o'clock.

ELIZABETH FOWLER *re-examined.* He went out again a little before one o'clock, and came home drunk about two o'clock—I saw the money safe last about eleven o'clock on the 13th.

HARRIET REDDY. I am the wife of Frederick Reddy, and keep a clothier's shop at Epping. On the morning of the 15th, three boys came to my shop, to all appearance the prisoners, are two of the boys—I served them with three pairs of trowsers, two handkerchiefs, and one pair of braces—the youngest paid—the other appeared the eldest of the three—I have seen two pairs of trowsers produced by the officer, which are what I sold—the other boy bought a pair of braces.

Cross-examined by MR. BALLANTINE. *Q.* This was on the 15th? *A.* Yes—Welling paid for them.

BENJAMIN CUTHBERT. I am servant to Mrs. Kirby, of Whitechapel-road—she keeps a clothes shop. On Friday, the 16th, two boys came to the shop—I think Welling was one—I sold two jackets to them—Welling paid for them—this jacket was left behind—(*producing it*)—it is not the property of either of the prisoners—the jacket taken from Welling is the one I sold on that occasion.

(James Brown, of Montague-street, Russell-square, gave Welling a good character.)

WELLING—GUILTY of larceny only. Aged 16.
Transported for Seven Years.
BROWN—NOT GUILTY.

1040. RICHARD BLACKWELL was indicted for stealing, on the 12th of March, 1 musical box, value 10*s.*, the goods of James De Caisne.

JAMES DE CAISNE. I live in Stephen-street, Lisson-grove, and am a tinman. I have known the prisoner four years—on the evening of the 12th of March he called on me, and staid about four hours—I had a musical box—I put it on the table, and after that put it on the top of a cheffonier, six feet from the ground—after he had gone some time I missed it—I got a police-sergeant, and followed him to a barge on the Paddington canal—I found him on board, and asked him for my musical box—he said he had not got it—I said, "I know you have"—he said he had not got any such thing—the policeman asked him for it several times—he denied it—the policeman then went to search the bed he was lying on—he still denied it, and then he searched his waistcoat, but did not find it—the officer said, "Don't break the box, it is a tender thing;" and the prisoner then turned round, and put the box through a hole, at the back of the cabin, in among the packages—I saw him turn himself round, but did not see it put there—I found it there—he said if we would wait a minute he would dress himself, and give it us—he undid the cords of the tarpaulin, and moved some of the packages—the box fell to the bottom, and the policeman and another man there got it up—this is it—(*looking at it.*)

JOHN RYAN (*police-sergeant D* 2.) I accompanied the prosecutor on board the barge, and found the prisoner in bed—I told him to give the box up—he denied having it—I then saw him shuffling about, and saw him put his hand into a hole, between the bed-place and the back-place of the barge—he then acknowledged that he had it, and would give it up—he got up, and partly dressed himself, moved some of the packages, and I saw the box at the bottom—I took it up—the prosecutor owned it—I found 7*s.*, and a knife *upon the prisoner.*

the shop, with another person, and immediately the prisoner w
missed two gowns from inside the shop—I saw them safe
of an hour before—I missed them before the other woman quitt
—I stopped the prisoner on Saturday, the 24th of March, at th
Marylebone-street, for stealing a pair of our shoes, and on her
some duplicates, one of which was of this gown.

Prisoner. I took the gown out of pledge that day—I p
company with Mrs. Lloyd at Mr. Daniels, and redeemed it from
—it was my own—I bought it of his master twelve months
never in the prosecutor's shop that day, nor in company with
he names at all. *Witness.* Yes, she was with Mrs. Kite, and
stole the shoes she asked me if Mrs. Kite had been there—I kno
well she was the person that was there—she was with Mrs. Kit

Hill Beck (*police-constable D* 127.) On the 24th of M
the prisoner stopped by Spiller, and took a pair of shoes from
shawl—I took her to the station-house, and asked her name—
would not tell me, she would tell the Magistrate—Mrs. Nobl
her, and found twenty-two duplicates—one was of a gown, plec
Daniels.

Sophia Noble. I searched the prisoner, and found this duplica
she told me I should not search her, saying she would give me a
ing, and desired I would shut the door, but I persisted in sea
and found the duplicates on her, in a tin-box.

James Burt. I am in the employ of Messrs. Daniels, o
street, pawnbrokers. I produce a gown, pledged on the 28th o
by the prisoner in the name of Ann Lloyd, 6, York-court—
was with the prisoner.

Prisoner. *Q.* Did you go to Mr. Grieves to know whether
that out of pledge there that day? *A.* No, I did not—the
pledged in the morning, and in the evening they were very m
cated.

JAMES BURT *re-examined.* I think it was pawned in the forenoon—I cannot swear it was before two or three o'clock—I cannot recollect whether I had dined—I cannot recollect the hour.

Prisoner. I entreated of you to find out that I had taken it out the same day. *Witness.* She did at the office, and mentioned the name of the shop, Greives and Brook, but she might have fetched a gown from there.

NOT GUILTY.

1042. MARY BOOTH was *again* indicted for stealing, on the 24th of March, 1 pair of shoes, value 4*s.* 6*d.*, the goods of Charles Walter.

GEORGE SPILLER. I saw the prisoner at my master's shop on the 24th of March—I followed her out, took these shoes from her, and gave her into custody—the officer was about twenty yards off—these are the shoes—(*producing them*)—they have our mark on the sole in ink—they had not been sold.

HILL BECK (*police-constable D* 127.) I saw Spiller run and catch the prisoner at the corner of Little Marylebone-street, and take the shoes from under her shawl.

ELIZABETH TILLEY. I saw the prisoner take the shoes and place them under her shawl—I gave notice to Mr. Spiller, and he followed her.

Prisoner. I was in company with that woman at the Angel public-house, and had a quartern of gin—she gave me the shoes—she asked me to go and pledge them for her. *Witness.* I never saw her before—there is not a word of truth in it—I was against the door when she took them, and I told at once what she had done.

GEORGE SPILLER. This woman was in the shop—I was serving—the prisoner did not come in.

GUILTY. Aged 44. Confined Six Months.

1043. ANN FINN was indicted for stealing, on the 10th of February, 1 table-cloth, value 8*s.*; 3 towels, value 2*s.*; part of a gown, value 1*s.* 6*d.*; 1 handkerchief, value 1*s.*; 1 spoon, value 2*s.*; 1 knife, value 6*d.*; 1 fork, value 6*d.*; 1 wine-glass, value 9*d.*; and 9 glass-cloths, value 2*s.*; the goods of Henry Armour.

ANN ARMOUR. I am the wife of Henry Armour, a cabinet-maker, of Old Cavendish-street. The prisoner was my servant six weeks—we lost several articles—I acquainted her with it, not suspecting her—she said, she knew nothing about them—I gave her permission to go out to tea on the 18th of March—she returned about twelve o'clock the following day—in consequence of her not returning that night, I unlocked her box with a key of my own—I was not aware of its fitting it—my laundress was present—I found in the prisoner's box a table-cloth, two chamber articles, some towels, and various other goods and broken glass—I have no doubt it was broken by accident, and then concealed there—the articles could not have been there for the use of the house—I found some remnants of silk, part of a gown—the prisoner was coming in just as I was searching the box—I took her to the box—when I told her what I had found, she said she knew nothing of it—they are not things which were intercepted between their use and going to the wash—she had not given them out to the wash—she gave me no explanation.

Cross-examined by MR. PHILLIPS. *Q.* Is the table-cloth clean? *A.* No, Sir.

RICHARD BARNARD (*police-constable D* 153.) I went to Old Cavendish-street, and found the prosecutrix there—she gave these articles into my hand—the prisoner was there, but said nothing in my hearing or presence.

(The prisoner received a good character.)

GUILTY—Aged 26.—*Recommended to mercy.*—Confined Fourteen Days.

1044. HENRY AUSTIN was indicted for stealing, on the 16th of March, 2 feet of lead pipe, value 1*s.*; 1 metal cock and ball, value 3*s.*; 1 brush, value 3*s.*; 1 valve, value 4*s.*; and 1 knife, value 6*d.*; the goods of John Perkins.

RICHARD REASON (*police-constable N* 129.) I was in the Liverpool-road, on the 16th of March, and saw the prisoner coming from some unfinished buildings belonging to Mr. Glenn, with a basket—I overtook him, and searched his basket—I found this property—he said he brought them from his master, Mr. Perkins, at Holloway—I should think he was half a mile from Holloway—I took him to the station-house.

JOHN PERKINS. I live in Northampton-row, Holloway. This ball, brush, and pipe, and other things are mine—they had been in a new building in the Liverpool-road, from which the prisoner is described as coming—I had engaged the prisoner as house-painter on the 15th of March, he had not completed the job—he should have come to me on the day he was stopped—he was stopped at twenty minutes after twelve o'clock at night.

Cross-examined by MR. GLOVER. *Q.* During the winter are not painters frequently thrown out of employment? *A.* Yes, they are—the prisoner said he had been out of employ—he had only been one day and a half with me—he has a wife and four children, but he might have worked till now, he was to have 4*s.* a day.

GUILTY—Aged 28.

1045. HENRY AUSTIN was *again* indicted for stealing, on the 16th of March, 4 bells, value 10*s.*, the goods of John Glenn; being fixed to a certain building; against the Statute, &c.

RICHARD REASON (*police-constable N* 129.) In addition to the articles I mentioned in the last case, I found in the prisoner's basket these four bells—he gave no account of them—I stopped him at twelve o'clock at night in the Liverpool-road—it was from No. 11 that I saw him come.

WILLIAM CLARK. I live in Noel's-buildings, Liverpool-road. I know these four bells—they are the property of Mr. John Glenn—I hung them for him in a new house, in Liverpool-road—I think it is No. 11, Liverpool-terrace—they were fixed in the house—I had finished them that evening, as they were taken away the same night—they were fixed in the brick-work by this carriage, and that was wrenched off.

GUILTY. Aged 28.—Confined Six Months.

1046. ELEANOR HOGAN was indicted for stealing, on the 15th of September, 1 shawl, value 18*s.*; 2 petticoats, value 1*s.*; and 1 shift, value 1*s.*; the goods of Kearon Hackett, her master.

BRIDGET HACKETT. I am the wife of Kearon Hackett, of Rufford's-buildings, Islington. The prisoner was my servant—she quitted me on Thursday, the 22nd of March—I missed a shawl and petticoat—I gave the prisoner into custody in consequence of a child bringing a pair of stockings and saying something—when she was given

into custody, I saw her searched, and she owned to having a petticoat of mine on—I saw it.

THOMAS HOBBS KING (*police-constable N* 22.) I took the prisoner—I found seven duplicates on her—two belonging to the property of the prosecutor—they were in a purse in her pocket—I produce a petticoat taken from the prisoner at the station, and delivered to me in her presence.

SAMUEL SLOPER. I am in the service of Mr. Sherwood, a pawnbroker, in St. John's-street-road. I have a shift pawned on the 15th of September, and a shawl on the 20th of March, by the prisoner.

BRIDGET HACKET *re-examined.* I never lent the prisoner any of these things—she had left me on the Thursday before—her week was up on the Sunday.

GUILTY. Aged 28.—Confined One Month.

1047. THOMAS ROBINSON was indicted for stealing, on the 21st of March, 2 seals, value 3*s*., the goods of Mary Ann Mariner.

MARY ANN MOOR. I live with my mother, Mary Ann Mariner, widow, who keeps a broker's shop in Tottenham Court-road. A table stood outside the door with the seals on it—I observed the prisoner touch something, and I believe I asked him what he had taken—he ran away—I sent the shopman after him, who brought him back.

WILLIAM BAKER (*police-constable E* 108.) I took charge of the prisoner, and searched him—I asked if he had taken any thing—he said no he had not, I was quite welcome to search him—I found these two seals between the lining and cloth of his trowsers.

(*Property produced and sworn to.*)

Prisoner. I had found the seals the night before, and they had jumped from my pocket into my trowsers.

MARY ANN MOOR. I put these on the table that morning myself.

GUILTY. Aged 19.—Confined Ten Days.

1048. JANE CARR was indicted for stealing, on the 27th of March, 1 pair of shoes, value 3*s*., the goods of Gregorio Giovanelli, her master: and 1 ring, value 5*s*., the goods of Theresa Giovanelli; and that she had been before convicted of felony.

THERESA GIOVANELLI. I am the daughter of Gregorio Giovanelli, who lives in Albemarle-street, Clerkenwell—the prisoner lived there as servant—I missed a pair of ear-rings from a drawer in a bed-room on the second floor, also an emerald ring which I kept on the mantel-piece, and a pair of shoes—the prisoner asked for a holiday—she did not come back—I went to her house, and her sister gave me a duplicate in her presence.

MARY ANN CONNOR. I live in Lamb's-court, Clerkenwell, and sell oranges in the street. The prisoner gave me a ring, and said it was no good to her, I might keep it—I gave it to the policeman directly I heard it was stolen.

JOSEPH NUNWICK ROSIER. I keep a pawnbroker's shop in Turnmill-street. I produce a pair of shoes pawned on the 27th of March by the prisoner, to the best of my recollection—I cannot speak positively—she gave the name of Ann Willis, lodging at No. 27, Turnmill-street.

JAMES BARNETT (*police-constable G* 53.) I got this ring from Connor—I produce a duplicate given to me by Theresa Giovanelli—this one produced by the pawnbroker is a counterpart of it—it is for a pair of shoes.

THERESA GIOVANELLI *re-examined.* These shoes are my mother's—the ring is mine—it is gold.

WILLIAM BARTON (*police-sergeant G* 1.) I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—I was present when the prisoner was tried —she is the person here described—(*read*)

GUILTY. Aged 17.—Confined Three Months.

1049. JOHN ARNOLD was indicted for stealing, on the 25th of March, 3½lbs. weight of mutton, value 1*s.* 9*d* ; and 3lbs. weight of beef, value 1*s.* 9*d.* ; the goods of James Green.

JAMES GREEN. I live in Crawford-street. My father, James Green, is a butcher—before nine o'clock on the morning of the 25th of March I was in the shop serving a customer—the prisoner came in—he had a bag with him —after I had served the other customers I turned to the prisoner, and asked what he would give for the meat he was cheapening—he made no answer, but walked off—I missed two pieces of meat—I went and found him in a door-way twenty yards up—he was taking the meat out and putting it into a handkerchief—I took him—two pieces of mutton and two pieces of beef were found in the handkerchief—it was Yorkshire mutton —I know it by the scoring, and we had the fellow pieces.

JAMES COLE (*police-constable D* 25.) I found the prisoner in Oxford-street—I asked him what he had got under his bag—he said, "Nothing"—I lifted it up, and found the meat in a handkerchief—I found 1*s.* 4½*d.* on him, and four duplicates.

GUILTY. Aged 53.—Confined Ten Days.

1050. JOSEPH TILLER was indicted for stealing, on the 20th of February, 3 watches, value 6*l.* 3*s.* ; 1 shawl, value 1*l.* 8*s.* ; 1 handkerchief, value 4*s.* ; 1 seal, value 4*s.* ; 1 basket, value 4*d.* ; and 1 boot, value 6*d.*; the goods of Robert Hayes, in his dwelling-house ; and that he had been before convicted of felony.

MARY HAYES. I am the wife of Robert Hayes, of Spring-garden-place, Pimlico. The prisoner has lodged in my house since August—I left my house on the 20th of February, and came home between six and seven o'clock—he was not there—he did not return—he gave no notice of his going—I went to a box in my bed-room on the first floor—I usually keep that box under my bed—I found a poker on the top of it—it was broken open—I missed three silver watches, a jacket, shawl, handkerchief, and a belt—the jacket was found again in the coal-hole, where the basket was missing from—I should think all the property I missed was worth 8*l.*—the prisoner denied knowing any thing of it.

Prisoner. She lent me the shawl a fortnight before I left. *Witness.* No, I never lent it him.

LUCY CAWLEY. I am the wife of Peter Cawley, of Spring-garden-place, Pimlico. I saw the prisoner coming from Mrs. Hayes with a basket with rope handles—I knew it, and asked if he had got work—he said no, but he was to have two places next week—I said I was glad of it —there was a boy who, I think, was speaking to him, but just as I spoke to him they parted—this was about four o'clock on the 20th of February.

Prisoner. It was in the morning I saw her—I was going for potatoes

Witness. I saw him in the morning, and he had the basket, and I believe the same was boy with him.

JOHN LAMBERT (*police-constable L* 29.) The prisoner was brought to the station-house, on the 12th of March, on a charge of stealing three watches—I found a boot on his foot.

MARY HAYES *re-examined.* I am quite sure I never allowed him to wear this boot—it was left by another lodger to get mended—it was in a closet in the room where the prisoner slept—that was not the room where the box was—the poker and the key of the first-floor room were taken from the kitchen—I did not miss the things till the next day, when I went to get a cap to put on.

Prisoner. She had told me that if I could not get the money to pay her I must not stop there. *Witness.* I did not—I said if he could get work I would give him victuals the first week, but he must endeavour to get work—he persuaded my little girl to come to me at my day's work to tell me that my little boy had played the truant at school, and he had not.

WILLIAM STRANKS (*police-constable N* 155.) I produce a certificate from Mr. Clark's office—I know the prisoner—I was present when he was tried before—he is the the person described in this certificate—(*read*).

GUILTY of stealing the basket and boot.

Confined Six Months.

1051. ELLEN M'CARTHY, ELIZABETH WATTON, SARAH EVANS, ANN JONES, MARY BATEMAN, JANE FREELAND, and ISABELLA PAGE, were indicted for stealing, on the 24th of March, 1 watch, value 3*l.*; 1 watch-ribbon, value 1*s.*; 1 watch-key, value 2*d.*; 1 pair of trowsers, value 15*s.*; 1 pair of shoes, value 5*s.*; 1 pair of braces, value 6*d.*; 1 handkerchief, value 3*s.*; 2 half-crowns, 3 shillings, 1 sixpence, 4 pence, and 4 halfpence; the goods and monies of Thomas Thompson.

SAMUEL GREEN (*police-constable H* 61.) On the morning of the 24th of March, before three o'clock, I was on duty in Wentworth-street, and saw Thomas Thompson—he had got a jacket and waistcoat on, and a pair of drawers, but no trowsers, shoes, or neck-handkerchief—he was standing in Wentworth-street, against a door-way—he complained of being robbed—I went to the second floor of a house in Essex-street—when I got to the top of the landing, I saw the prisoner, M'Carthy, holding a pair of trowsers before her, coming out of the room—I said, "Halloo, what have you got there?"—she ran into the adjoining room, which was the back-room two pair, and threw them underneath the bed—as soon as I had picked them out from underneath the bed, I said, "I have got the trowsers, where is the watch?"—she said, "I know nothing about the watch, the watch is not here"—while I was kneeling, I saw her go to a fire-place, and stoop—I went and looked, and found two half-crowns, three shillings, one sixpence, and three penny pieces, and half the glass of a watch, among the dust, under the stove, where she was stooping—we then returned into the front-room two pair, from which she came with the trowsers—the sergeant was in that room—I said, "Look out, the watch is in this room, somewhere"—the sergeant looked about, and found the watch in that room—we then took the other six prisoners, who were all in the room, to the station-house—after that, I went to No. 107, Wentworth-street, to the first-floor backroom, and found a pair of men's shoes, and on the table, a black silk neck-handkerchief, which the prosecutor claimed.

M'Carthy. *Q.* Did you see me with the prosecutor? *A.* N
you.

THOMAS THOMPSON. I live in Hermitage-street, St. Georg
East, and am a lighterman. I had been drinking all that even
late hour—I recollect seeing two of these women at the last hous
—I believe M'Carthy was one, and I think Bateman was the
was very much in liquor, but I can just recollect they were i
house I was in—they were standing before the bar, in the sam
house—I had about 12*s.* or 14*s.* in my pocket, at eleven o'clo
watch—I had a pair of trowsers on—this is my watch—the cold
—I was sitting on the step of a door, about three o'clock, as the
tells me—my shoes and handkerchief were off—I had no halfpe
pocket, that I know of—these shoes, trowsers, watch, and handke
all mine—I think I had four half-crowns—this is my watch-ke
not on the ribbon—it was in my pocket.

M'Carthy. *Q.* Did you see me in the public-house? *A.* Yes-
I gave you something to drink, I am not certain.

COURT. *Q.* Do you recollect any thing of Bateman? *A.*
together—I cannot say any thing of the rest of them.

M'Carthy's Defence. I never saw Bateman till I went into
where she was—I never saw her from about nine o'clock at nigh
three o'clock in the morning—I went to stir the fire, to give
and as I was going down stairs for some water, I picked up thes
at the bottom of the stairs, I put them on my arm, and th
down—we had gone up, and left our bonnets in the room—
bonnets were, we had had tea, with three girls, and when we
to the station-house, we told the officer to be so kind as to
them—I never saw the man.

Watton's Defence. I was going to bed—we had a room on
landing as two of the other women—they knocked at the door
for a light, which I gave them, and then the officer came

April, 1 handkerchief, value 3*s.*, the goods of Joseph Knight, from his person.

JOSEPH KNIGHT. I reside at Reading, and act as a traveller. I was in Duke-street, Lincoln's Inn-fields, at half-past one o'clock, on the 3rd of April—the prisoner had followed me some distance, and then went behind and crossed over to the other side of the street, retracing his steps, which excited my suspicions—I felt, and missed my handkerchief—he ran off—I pursued him—he met a constable and turned back—I collared him, and demanded my handkerchief, and he gave it to me out of his bosom.

GEORGE MARCH (*police-constable F* 78.) I heard an alarm—the prisoner was running towards me—he turned—I went up and took him—I saw the handkerchief pass from him to the prosecutor.

Prisoner. I was returning from a friend's—I saw something white lying on the pavement—I took it up and crossed over the way—I then heard a cry of "Stop-thief"—I ran to the corner of the street—two gentlemen came up, and I received a violent cut on the head from one of them.

GUILTY. Aged 18.—Confined Six Months.

1053. GEORGE BRIGGS AVENELL and JERRARD BRUNIGES were indicted for stealing, on the 13th of March, 1 copper, value 7*s.* 6*d.*, the goods of Elias Hellen and another, and fixed in a certain building.

ELIAS HELLEN. The premises in Wiltshire-street, Hoxton, from which this copper was taken, belong to me and another person, as executors—the copper was fixed in the kitchen—I let the premises to Avenell—he gave me the name of George Briggs, and a reference to Mr. Avenell, No. 3, Crown-street, Finsbury—he asked if there were any fixtures to be taken—I said no, the fixtures belonged to the house—he was not to pay for them—I let the copper among the things—I sent my co-executor to make inquiries at Mr. Avenell's—in consequence of the answer he was admitted into the house—the other prisoner I never saw till he was in custody—I had been to the premises after they were let—I think I let them before the the 13th of March—I found the copper removed—I believe this is it.

MR. PAYNE. *Q.* Does this paper contain the terms upon which you let the house? *A.* I let the house verbally—I made a memorandum of it afterwards, and the terms were reduced to writing, and signed by him.

ROBERT STEERS. I am one of the executors. I called at No. 3, Crown-street, Finsbury, to see a person who wished to take a cottage of ours, to know Briggs's character—he said he lodged at that house—I was to go to a Mr. Avenell to inquire into his character—I went there, and saw the prisoner Bruniges—I asked him if Mr. Briggs resided there—he said, "Yes"—he said Mr. Avenell was out of town, and would be for two or three days—I said, "I dare say you will do, is Mr. Briggs here?"—he said, "No, he will be in at his dinner"—I said, "Is he a lodger?"—he said, "Yes"—I said, "Is he sober, honest, and industrious?"—"Yes," said he, "and what is better, he pays his rent to a day, and his wife has a small allowance from her mother, which would indemnify you from any loss"—he gave him a good character.

Cross-examined. *Q.* Are you quite sure that it was Bruniges you saw? *A.* Yes—I never said I saw a young man whom I believed to be Bruniges.

MATTHEW PEAK (*police-constable G* 198.) On the 13th of March I fell in with the prisoner Bruniges, in the Curtain-road, carrying a copper under his arm—I said, "Where did you get that from?"—he said, "From

feloniously assaulting Ann Elizabeth Shepherd, on t
cutting and wounding her upon her forehead, with
disable her.—2nd COUNT, stating her intent to be to
bodily harm.

ANN ELIZABETH SHEPHERD. I am the wife of Ch
private soldier in the 1st Regiment of Guards. The p
same house as I did in Belton-street for five or six mon
—I had had a quarrel with her last Saturday—in cons
to Bow-street—she issued a warrant against me, and
day, and was discharged—she threatened me very muc
do to me when we got home—she said she would be
threatened my life repeatedly—I went home, went up
cloak, and was coming down stairs—I had a glass bottle
standing on the first-floor landing-place, coming up st
bonnet and cloak off, and was swearing she would m
death of me—she did not say any thing more to me, b
and when I fell down she took the bottle from me—
her—she took the bottle out of my hand, and hit
head, on my forehead, above my eye, where I have t
forehead—(I went to Charing-cross Hospital)—the bl
was broken with her hitting me—she held it by the ne
my right fourth finger with her teeth—the blow stunne
tell whether she threw the bottle down—she bit my
to the bone—she kicked me with her feet, and bit m
found her doing so when I came to myself—she beat
and kicked me about my body—I called out as wel
went down stairs to the shop—I never had any quarr
day—I never spoke to her when I came down with t

Prisoner. *Q.* When I met you on the stairs, wha
A. I never spoke to her, nor opened my mouth—th
not to speak to her if she insulted me, but, if she use
take a warrant for her—I never spoke to her afterw
the office—I never spit at her.

COURT. *Q.* What were you doing with the bottl
to take it down stairs to the person it belonged to—it
—it was about three o'clock—I had not dined—I had
Bow-street—I had had the bottle three or four days-
that day—I got home first from Bow-street—we did
gether—no one was on the stairs—the people had all

SAMUEL SUTTON. I am a policeman. Last Tue
in Seven Dials, and was called to No. 33, Belton-st
three o'clock—I met the prosecutrix at the door, an
very profusely from the head and face—one of her fi
I went after the prisoner—she was in the front attic-
and locked—I asked her to open the door—she refus
secutrix went to Bow-street, and shortly after, Shac
officer, came back and took her into custody—duri
gone to the office, I picked up the remnants of a
floor landing, which I produce—it is a small half-pin
a great number of pieces—the blow must have been
lence—the prosecutrix's face was completely covered
could not distinguish where the wound was—I beli
surgeon—I saw the wound after it was dressed.

ANN ELIZABETH SHEPHERD *re-examined.* I went to a surgeon at Charing-cross Hospital—he probed the wound, to see if there was any glass in it, and then dressed it.

Prisoner's Defence. When I fetched the warrant for her she treated me very ill—I never lifted my hand or my finger at her—she told the Magistrate I called her a w——, but I did not—I cannot say any thing else—I never struck her before, and never had such a thought in my head—about four months ago she called three of them together, and they told my master different stories, which are untrue, about me, and they set this woman on to call me every thing that was bad, and to beat me—they never did beat me, but threatened me on Sunday, three or four months ago, how they would serve me—it always caused me and my master to live unhappy through them.

GUILTY. Aged 28.—*Recommended to mercy.*—Confined One Year.

Before Lord Chief Justice Tindal.

1057. ROBERT MIERS was indicted, for that he on the 28th of January, unlawfully, maliciously, and feloniously did set fire to a certain house in his own possession, in the parish of St. Marylebone, with intent to injure and defraud John Rogers, Chairman, for the time being, of the Union Society for effecting insurance from fire, &c.—2nd COUNT, stating his intent to be, to injure and defraud Thomas Lewis, Secretary of the said society.—3rd COUNT, stating the house to belong to John Warden, and his intent to be, to injure and defraud him.

MESSRS. F. KELLY, CLARKSON, *and* DOANE, *conducted the Prosecution.*

THOMAS LEWIS. I am secretary to the Union Fire Office—Mr. John Rogers is the chairman of that society—we were both filling those situations on the 20th of last January. I produce a policy of Insurance effected by the prisoner, Mr. Miers, on the 12th of January, 1838—this insures 300*l.* on household furniture, apparel, plate, printed books, wine and other liquors in private use, (the words are written in the form, not printed;) 50*l.* on china, glass, and looking-glass plates; 50*l.* on watches and trinkets; and 2500*l.* on utensils and stock in trade, in his dwelling-house, 28, High-street, Marylebone—this is the second policy—here is also a former policy effected by the prisoner—it is dated 20th of January, 1837—the items are the same in this as the other, except the stock, which was 3000*l.*—in the second is reduced to 2500*l.*, which is 500*l.* less than the first I produced—the stock, in this policy, is represented to be in his dwelling-house, 184, Oxford-street—it is in the same words as the other.

Q. Will you be so good as to look at the first policy, and tell me whether there is an indorsement on it denoting that the goods had been removed? *A.* Yes; that is on the policy of the 20th of January, 1837—the indorsement is dated 2nd of June, 1837, and states, "Removed to his dwelling-house only, situated No. 28, High-street, Marylebone"—that policy was cancelled by the other being issued—there is no formal cancelling at the back of it—that is not our course of business—the date of it is 20th of January, 1837, but it commences from the 25th of December, 1836, to the 25th of December, 1837, and then expires, as it is from year to year—the latter policy commences from the 25th of December, 1837.

GEORGE CAMPION. I have been agent for the Union Insurance Office for the Eastern parts of the Metropolis—I know the prisoner—I never saw him till he called on me after the fire—I knew his brother—it was on

Monday morning, the 22nd of January, that the p
in consequence of what passed between us, I acco
the Union Insurance Office.

Q. Did you afterwards, at the suggestion of t
prisoner's consent, act for him in preparing with h
loss? *A.* Yes—I went with him in the first place
with him—Mr. Toplis is the general agent of th
office is in Cornhill—I prepared, at the prisoner's
his claim—(*Mr. Toplis here produced the claim*)—
out—I sent that to Mr. Toplis on the 1st of Februa
papers produced to me by the prisoner, and from sta
perhaps four or five interviews with the prisoner b
he furnished me with the particulars out of which
had those interviews with him in my own office in
accompanied me to Mr. Toplis in the first instance

Cross-examined by MR. PHILLIPS. *Q.* Where di
my own office—Mr. Toplis was not present—this
that the prisoner gave me—he did not give me this—
which I took it—there was a rough draft made
not the only draft I drew out by his directions—
drew it out in my book in the first instance.

Q. Did the prisoner ever correct a draft that y
it was incorrect and full of errors? *A.* Yes—that
this bears date the 1st of February—that is the tr
signed by me on the 12th of February—it was si
date, or thereabout—it was presented to the
over it before it was delivered—I signed it about
it—it was made out for the inspection of my empl

MR. CLARKSON. *Q.* Take that in your hand
end of the entitling of it is written, "by Geo
and valuer, Bishopsgate-street, February 1st, 18
delivered on that day—I have again signed it at
—that was on the 12th, when we both appeared be
passed after the delivery of it on the 1st betwe
or Mr. Toplis on the subject of the inventory, ex
an interview to go into it—no alteration was ma
the 1st, when I delivered it to Mr. Toplis, and
vered it as a statement—after I made out that inve
for the prisoner and I had a conversation with him o
on the subject of his copy—that was previous to
me, and dated 12th February—this is the copy I
—(*looking at it*)—I gave him that copy three or f
12th—I had some conversation with him at my o
12th, before we went to Mr. Toplis—he then said t
incorrect—he said things had been stated in error
were not on the premises on the night of the fire—h
with some articles struck out, stating that they we
the time of the fire, and that the statement was i
he did not give me any intimation of that before th
first correction I observe is written in the margin
spirits, at page 5—there is written in the margin
were in the parlour-closet instead of the wine-bin
writing these marginal notes are—that is the way in

it to me—in page 7 the balance ivory-handled knives and forks, valued at 2 guineas; twenty-four ditto, dessert, 1*l.* 14*s.*, and one pair of carvers, 8*s.*, in the back parlour ground floor, are all struck out; and in the margin is written, "Mistake, sold to Midgley about June last"—the next is at page 5, two large clothes-brushes, 5*s.*, in the front room, second floor—they are struck out, and "twice entered" written in the margin—the next articles are under the head of wearing apparel, two black silk handkerchiefs, 10*s.*, "twice entered" is written in the margin, and the articles struck out—the next is under the head of baby-linen, six long muslin robes, 5*l.* 10*s.*; six muslin petticoats, 1*l.* 10*s.*; 6 monthly gowns, 2 guineas; six long cloth night ditto, 1*l.* 4*s.*; four night flannels, 1*l.* 18*s.*; six day flannels, 2*l.* 12*s.*; twelve diaper napkins, 3*l.* 18*s.*; twelve lawn shirts, 1*l.* 10*s.*; twelve fine diaper pinafores, 1*l.* 4*s.*; six French cambric caps, 25*s.*; six lace ditto, 10*s.*; one satin pincushion, 15*s.*, these are all struck out—under the head of Mrs. Miers's wearing apparel, there are six dresses, 5*l.* 10*s.*, struck out, and "mistake" written in the margin; six jean pockets, 6*s.*, struck out, and "mistake" written in the margin; one India crape dress, 1*l.* 10*s.*, "not our own" written in the margin; one gingham umbrella, struck out, and "twice entered" written in the margin—under the head of watches and trinkets there is, silver bells and coral, at page 7, struck out, and the words "see Midgley" written in the margin—those are the whole of the alterations suggested by the prisoner on the 12th of February—the alterations were already made in the list when he brought it to me—those are the alterations between the copy delivered to Mr. Toplis on the 1st, and the one the prisoner brought me on the 12th.

Cross-examined by Mr. Phillips. *Q.* Now, Mr. Campion, did not the prisoner refuse to sign that inventory as of the date of the 1st of February? *A.* He refused to sign it altogether—he did not refuse on the ground that though it was to be signed on the 12th, I was dating it as if it was signed on the 1st—I am not aware that he offered to sign his own corrected list, he did not, to my knowledge—he did not sign it, and therefore Mr. Toplis called on me to sign the declaration—he did not offer to sign his own corrected list, to my knowledge—I should think I could not forget it if he did—he did not, to my knowledge—how can I swear positively? I know of no such thing—Mr. Toplis, Mr. Rickards, and his clerk, were present.

Q. On your oath, did not Mr. Toplis interfere to prevent Mr. Miers signing his own corrected list? *A.* Not to my knowledge—I have no recollection of it—I never heard him offer to sign it—he refused to sign one list, I believe because he said it was incorrect—he said it was incorrect, and therefore he would not sign it—it was the first one he refused to sign, which is the one I had made out, which he had not corrected, dated the 1st of February, and that is the inventory I signed for him on the 12th—he refused to sign the inventory—I cannot say whether he refused to sign the declaration at the end of it—Mr. Toplis asked him on the 12th to sign the inventory, and he refused, on the ground that it was incorrect—it was after he refused to sign the inventory that I wrote this declaration, but the same night—that is a declaration of mine—I have read it—it is a declaration of mine—I do not conceive that Mr. Miers was asked to sign that declaration—I believe he was not, because it is a declaration of my own—I can say no more.

Q. Now, were you acting as his agent, as well as agent of the Union? *A.* In that capacity I was not acting for the Office, but for him, and I expected to be paid by him—I got the whole of his books, for what I know, as his agent—he delivered them himself to Mr. Toplis on the 12th of February—I did not deliver them.

Q. How many books had you from him to help to make out these accounts? *A.* (*reading*) "Delivered to Mr. Campion, all my books, as follows:—one ledger, one day-book, one stock-book, one paper case, containing invoices, and one brown paper parcel containing bills of parcels, signed Robert Miers"—the declaration at the end of the inventory is not in my handwriting, it is Mr. Toplis's—the signature is mine.

Q. Now I ask you, did not Mr. Toplis, in your presence, twice deliver a pen with ink in it into the prisoner's hands, and ask him to sign that declaration before you signed it? *A.* I am not aware of it—I believe not—it did not take place that I know of—I will not swear positively—he did either put the pen into his hands, or offer it to him to sign the inventory, but I believe not to sign the declaration—I am not aware of his asking him to do so—I believe he did not—not the declaration—I was present—he did not put the pen into his hands, and ask him to sign the declaration in my presence or hearing, that is my present impression—I know of no such thing—I have been an agent to the Union for some years—I have acted in a good many claims and concerns in effecting insurances.

Q. When you were employed by Mr. Miers, did you tell him you had occasionally acted as agent for the Union in effecting insurances? *A.* Yes, he insured through me—I gave him a copy of the first inventory—he applied for it one day, and I think he had it the next—I think it was about the 9th that I furnished him with the copy—he applied for it somewhere about the 8th—I believe it was about the 8th or 9th—it was certainly not the 6th or 7th that he applied—I am now looking at my inventory book—I think it was about the 8th I furnished him with the copy—I have not the day entered—it is possible it may have been on the 6th that he applied to me—I have said before it was about the middle, between the 1st and the 12th.

MR. KELLY. *Q.* I think the 4th of February was on a Sunday, are you sure it was not till after Sunday, the 4th of February, that he applied to you for the copy? *A.* It was after Sunday, the 4th of February—when I delivered the first inventory (*No.* 1.) to Mr. Toplis, on the prisoner's authority, on the 1st of February, it had not this declaration on it—I then delivered it as a claim of Mr. Miers so far as he had insured—Mr. Miers came to me again about the time mentioned, and stated that there were several things which were wrong, and asked me to make him a copy for his own private use—I do not recollect any thing he particularly mentioned then except the coral—he said he had no copy of the slips of paper he had given me, and he wished to have a copy for his private use to see what was claimed—I do not recollect any thing else taking place then—he took the copy away next day—I think he mentioned the bells and coral on the first day—he said there were several things incorrect, and I think he mentioned the bells and coral—he said that the lists that were given me were made out in error—I think I gave him the copy the next day—this is the copy I gave him, (*No.* 2,) the day or two days after he asked for it—I really cannot recollect whether I had any further conversation with him respecting the corrections or mistakes when I gave him the copy—I think I saw him once or twice after, between then and the 12th, on the subject of the details.

Q. Do you remember on either of those occasions, or on any occasion down to the 12th, whether he pointed out or spoke of any other errors, omissions, or corrections, except such as appear on that copy? *A.* I really cannot recollect—I have no recollection that he said there were any other errors—I saw him on the 12th in Mr. Toplis's chambers—we met there by appointment—I had made the appointment with him

Miers about seven o'clock in the evening—we met at Mr. Toplis's own private house in Bridge-street—only one inventory was produced in the first instance—that was No. 1.—Mr. Toplis produced it—he had it previously—I believe Mr. Miers was requested to sign it—he then said he could not sign it because there were many errors in it—then Mr. Miers produced the copy I had given him, (*No.* 2,) which was intended for his own private use, marked as to errors—it was produced as altered by himself, with the alterations which have been read—I have no recollection that he pointed out any errors besides those which were altered—Mr. Toplis asked him many questions about No. 2.—I cannot recollect exactly the particulars—there was a great deal of conversation between Mr. Toplis and the prisoner.

Q. I see, with regard to the amount of stock, these two statements completely agree as to the loss sustained at the fire, 3217*l.* 9*s.* 8*d.*—I want to know whether, during the whole of the conversation, any objection was made, or any error stated to have been committed with respect to the amount of the stock? *A.* I believe not—as far as I recollect, no error was pointed out except those mentioned in No. 2.—I think I recollect now that Mr. Toplis, after Mr. Miers refused to sign No. 1, asked him to sign the other, No. 2.—I think so—I think he refused to sign it—he certainly did not sign it—I signed nothing except this declaration—I think we separated about half-past ten o'clock—we had been together from seven o'clock till half past ten o'clock.

Mr. Phillips. *Q.* Did you make out the copy for the prisoner on a Saturday night, and sit up till twelve o'clock to do it? *A.* I think it could not be on a Saturday night—I said I thought it was on the 8th or 9th—the 9th would have been Friday night—I do not think it could be a Saturday night—it must have been on Friday night—I generally go out of town about five o'clock on Saturday nights, and I believe I did so that night—it could not be on Saturday night, according to the impression on my mind—I am not aware that I apologised to the prisoner on the Monday night, saying that it was not finished, and I wanted an additional paper to make it up—it could not have been on Monday, the 5th, that I delivered it.

Q. What makes you say, with any degree of certainty, that it was after Sunday, the 4th, you made the copy? *A.* I believe it was on the 8th or 9th—I have nothing entered relating to it—I have no book with me in which I enter what I do on any particular day, or how I pass my time—I have a day-book where the time is entered—that book is at home—I have no objection to bring it—this book I have here is a mere diary—here is entered on Monday, the 5th of February, "Received a letter of appointment from Mr. Toplis, and sent to make proper arrangements with Mr. Robert Miers"—when I went to make that proper arrangement he was not in the way—it is not stated in that book that he was not in the way.

Q. Now, Mr. Campion, I see you have entered very minutely in this book, a great many things concerning Mr. Miers, will you be kind enough to tell me whether you have any entry at all as to when you made out the copy for him? *A.* If I had I could have answered you—I have not answered any thing positively, only as to the impression on my mind—you would not have me state that which I do not know—there is an entry on the 9th of February—"Robert Miers's"—"advertisement"—that does not relate to Mr. Miers—it was merely put down to remind me of certain things, first respecting Mr. Miers, and next respecting an advertisement I had to

put in the paper—I do not recollect that I have any other diary but this book, but we have a day-book.

MR. JAMES TOPLIS. I am a surveyor and appraiser, and act as agent for the Union and several other offices. I understood that Mr. Miers had insured some property in High-street, in the Union office—I heard of the fire on the Sunday morning—I believe the fire was on the Sunday morning, the 21st, and I was there about twelve o'clock at noon—I have general instructions from the office to investigate claims, and I took that step here—I met Mr. Campion on the Tuesday, as the agent of Mr. Miers—I desired his claim to be sent in, with a specification of the loss, and this inventory, No. 1, was delivered to me on the 1st of February—it had not then the declaration at the end—in other respects it was exactly as it is now—the stock is mentioned in one round sum of 3200*l.* and odd pounds—no specification or intimation was given me at that time as to what that stock was, except what appears in that paper—I gave directions to have a specification of the stock charged to that amount—no books, papers, or vouchers were produced to me when that inventory was first delivered—I had appointments for Mr. Campion to attend me prior to the 12th of February, but they were not kept—we at last met by appointment on the 12th of February—until that time I had never seen the prisoner on this matter—I did not know him at all—at that interview I requested the particulars of his stock, and he produced to me some papers relating to an old stock taking.

Q. Had he before that put in his copy of the inventory? *A.* I cannot say which was done first—it was all simultaneous—he handed in an inventory which I have marked on the cover, No. 2.—when I asked him for the particulars of his stock, he produced some papers, which I have put together in the form they were in when I received them—he said they were the particulars of the stock taken on August 31, 1836—I asked him for the particulars of his private mark, which he gave me, and I have it here in his own handwriting—he said he had been engaged in making out the detail of the stock, and handed to me a list as far as he had gone—this is the list, which with these papers were given to him when he went away, and I became possessed of them at the hearing before the Magistrate—this list was, as I understood from him, a detail of the stock on the premises at the time of the fire as far as he had gone with it—he said the stock on August 31st, 1837, was as he stated in the several papers, and handed me papers of goods bought since, and here they are, and there is also a list of goods bought before—in support of the statement of the cash, he had taken since the stock was taken in 1836, he handed me in that paper, stating that the books which would have told the transactions were burnt—this was cash taken for goods sold—there were no other papers in reference to the stock—he brought his books, which I have here—he said two books, a cash-book, and what he termed a small ledger, which would have told the whole of the transactions had been burnt—other books had been preserved, and those he produced—I asked him how it was he gave me an account of the cash taken if the books were destroyed—he said he had received that account from his brother, that his brother attended once or twice a week, as he was largely indebted to him, and took from his books the account of the cash taken—he handed me a vast number of bills of parcels to confirm the buying which had taken place, to the amount of 4000*l.*—many of the papers are duplicates—he left me with a promise to finish the detail [illegible] the stock, which was to come to the sum he stated—I did not return the bills to him—I returned the stock-paper, and the account rendered of the

stock burnt—he did not ask for the books—I returned him all he wanted, and he promised to complete the account, to sustain the sum he had claimed —he did not say that there was any thing incorrect in the amount of the stock—no error whatever was pointed out as to the amount of the stock—I do not recollect whether the inventory or the stock papers were produced first—the inventory, No. 2., was produced with some erasures and corrections on it—he said he wished to take them out—I asked him to sign the original claim, No. 1., which it is the custom to get signed —he refused to sign it, and I wrote the declaration at the end of it as a qualification for him to sign it—Mr. Campion said he would sign it, and did—the prisoner himself refused to sign it—the declaration was put before him to sign, and he refused—(*Declaration read*)—

"I hereby declare this claim to be made out from instructions and list given by Mrs. Miers, with the assistance of her servant and Mr. Miers; but it is admitted that Mr. Miers shall have the opportunity to make such alterations as he can prove are in error—otherwise he has refused to sign the above—*signed*, GEORGE CAMPION. 12th February, 1838."

Q. He did not sign it? *A.* No, the alteration was made to meet his views —the addition was made because he said he would sign it if it was added, but he refused to sign it, and on his doing so, a discussion took place respecting the corrections he had made in his copy of the inventory—he said Mrs. Midgley, the sister of his wife, was about to be confined, and the baby-linen had been lent to her, and the child's coral and bells—there is a note written in the margin "See Midgley" against that—I understood him that the coral was at Midgley's—I do not remember any thing else being said about the child's coral—I asked him what he meant by erasing some of these things, what was I to understand? (I had before this received certain information from some of the police) he said he had taken some things to a house, he did not know the street, it was to a coffee shop, a friend of Midgley, where he was known—I asked him if he had been there since he had left them—he said no, he thought he could find the shop, but did not know the person's name—he said that Midgley had been in his service up to May, and since May he had only had a boy and no shopman —he said Midgley had taken a shop, and fitted it up, in Crawford-street—that he advertised three times to open it, but had not opened it—I do not know that he said why in express words, but the meaning was that he could not obtain stock sufficient—he said he (the prisoner) had kept from four to six shopmen in Oxford-street from his commencement in October, 1835, I think till March, 1837, when he left—he said he considered his stock of the same value when he left Oxford-street, as when he took stock in August, 1836—it is stated as 3000*l.* odd in the paper—he said the stock was of that value—in the written inventory it is reduced to 2910*l*—he states it in a debtor and creditor's account—the sum of 1202*l.* 13*s.* is the amount of stock he was getting forward to deliver to me—he gave me that, being the detail of the stock as far as he had gone, and I apprehend the numbers on it refer to the number of divisions or drawers, because he produced a plan of the shop—this paper is the statement of the stock as far as it went, but which he was to complete.

Q. Before he left on the evening of the 12th of February, did he say any thing as to how the fire happened? *A.* I asked him the particulars—he said he had turned off the gas before he left the shop, and went into his parlour, he had been there a considerable time taking his supper, and from eleven to half-past eleven o'clock (I think he said) Mrs. Miers went up stairs to bed, the servant attending her to warm the bed—about half an

hour after, he went up stairs—his wife was in bed, and the servant in the room—that she stopped some few minutes, and then came down—that the servant was down a short time, and I understood went up to call him, or told him that there was fire in the shop—he came down stairs, unlocked the door leading into the shop, which had a glass sash, and the shop was full of smoke—he returned up stairs to his wife, told her to get up and dress herself, for the shop was on fire—he soon came down stairs, and he and the servant procured a small quantity of water, and threw on the fire, and he left it—he said he had lost the two books I have referred to, but I understood nothing else but those, not of his books and papers—I asked him what servants he had—he told me he had taken a boy on the Friday preceding the fire, who was the only servant in the shop—he said he had taken the boy without a character, and the boy had gone out on Saturday afternoon to return at six o'clock, but had not returned, and he had not seen him since—he said he had given him leave to go out to fetch some things from Bermondsey—I understood him it was in the afternoon—he said the boy told him he had been in service at Chatham—he could not tell me the boy's surname, Christian name, or any thing about him—during the whole of the conversation he said nothing whatever of any error in his claim in respect of the stock.

Cross-examined by MR. PAYNE. *Q.* How long altogether did the interview last between you and the prisoner? *A.* I should think about two hours—it took place at my house in New Bridge-street—the solicitor's clerk was present—he came there by my directions, and Mr. Rickards called in while we were so engaged—they were there a great part of the time, and Mr. Campion also—the prisoner and Mr. Campion came together—the first thing that took place when they came into the room was, I told him that that gentleman was the solicitor's clerk; and when Mr. Rickards came in I told him he was the solicitor to the office.

Q. Did you not say when the prisoner first came in with Mr. Campion, that you had merely sent for him to sign the claim sent in by him, and would not detain him longer than to sign it? *A.* Certainly not—I cannot tell the exact period at which I asked him to sign the claim—it is very likely I might ask him to do it when he first came in, I cannot tell—I will not swear I did not ask him to do so the very first thing when he came in—I will not swear whether I put a pen into his hand, and asked him to sign the claim or not—I did not make any memorandum of my questions or the prisoner's answers—my account is generally from my recollection—the prisoner did refuse to sign the first inventory—that was why the qualification was put at the end—I can say distinctly that the qualification was put before the prisoner to sign, and then I asked Mr. Campion to sign it—Mr. Campion said he would sign it—he said he would sign it to prove to me that he had the prisoner's instructions to make out the claim—he said so at the time—I cannot tell whether it was before I asked him to sign it, or after—I requested him to sign it—I do not recollect whether I put the pen into his hand myself—I will not swear about it—there were two ink-stands and pens on the table—I will not swear who took them up—I will not swear I did not put a pen first into the prisoner's hand, and ask him to sign it, because I cannot recollect whether I did or not.

Q. I understand you to say he spoke about some stock of Midgley's, was there any thing in the inventory about that? *A.* No, there is no account of stock, except his own—he said Midgley had obtained goods from houses in the City, not paid for, to the amount of 1801.—he never told

me those were some of the goods left at the coffee-house—he did not tell me he had not included Midgley's goods, of the value of 180*l.*, in the general account as claimed—he did not say so in those terms—I will tell you what he did say, he said when Midgley found he could not open the shop, he had goods to the amount of about 120*l.*, and those were sent to his (Miers's) house, but were not in the claim, for something else was done with them; they never went into his stock—he said the goods sent to his house were about 120*l.* worth, the residue of the 180*l.*—he did not say that he had not included them in the general account—I was examined before the Magistrate—my deposition was read over to me—I called at the office after it was shut, and the clerk read it to me, and I signed it—I was only examined once at the office.

(*The Court read from the witness's deposition as follows:*)—"He had supplied Midgley with various goods for persons, but, ultimately, the whole stock was removed to his (the prisoner's) house—that he considered them of the value of 180*l.*, or thereabout, but he had not included them in the general amount as claimed here."

Q. When you were before the Magistrate, did you state any thing at all of what the prisoner said to you about the mode in which the fire occurred? *A.* I cannot recollect at the present moment the precise statement—when I asked him what he meant by erasing these things, I alluded to the articles to the amount of 39*l.* struck out in the inventory—it was on that he said what I have mentioned about the coffee-house—he said he did not wish to say any thing about Mr. Midgley's affairs, as he was in some degree of trouble.

Q. Now, with respect to the gas, did not he tell you he had turned off the gas in the shop, but he could not turn it off atthe main? *A.* I have on recollection of the word main being mentioned—I will not swear it was not, but I have no recollection of it—I have no recollection of his speaking of the bad state of the pipe—my impression is, that he did not mention about the gas being faulty, either at my house or any where else, in my presence—I will not swear he did not mention about the deranged state of the gas-pipe in the conversation at my house, but I believe he never said a word about the gas-pipe—I have no recollection of his saying any thing about the frost—I will not swear he did not—after he gave me all the papers and books, and made the statement to me, he left with a promise to supply the remainder of the account in a few days.

Q. Was he not, on going away with that promise, taken into custody immediately by an officer whom you had *planted* there? *A.* I did not *plant* the officer—the commissioners of police did—it was not by my application—I did not apply to them—he was to come to my house—I knew the officer would be there, but my advice was not to take him—one of the officers was stationed in the adjoining room—he could not hear what took place—it was before the interview that I advised the officer not to take him—I did not understand, from my conversation with the prisoner, that some of the 180*l.* worth of goods were the goods that were taken to the coffee-house—I will swear nothing of the kind occurred in the whole course of conversation, because he never mentioned stock—I did not tell the policeman, after the prisoner had gone away, he must not take him—the policeman went out of the door, I believe, before the prisoner did—I am always concerned for six Fire-offices, and I settle for ten sometimes—I was concerned for the Sun Fire-office in the case of a person named Jacobs, who

was prosecuted here, which was afterwards referred to Mr. Justice Patteson, before he was a Judge—I have been concerned for the Sun Fire-office nearly twenty-eight years—I was examined as a witness on that occasion in this Court—the prisoner was acquitted after a trial of twelve hours and a quarter—I was a witness before the arbitrator—I gave evidence on the side of the Fire-office—I have not assisted in getting up this case, or subpœnaing witnesses—the man Jacobs did not recover his claim—he did not recover one farthing on his stock—the mortgagee recovered his amount, but the man nothing.

Q. When Mr. Miers went away, did you expect he had gone away to come back in a few days? *A.* If you will allow me to explain—when information came to the police of goods being left at the coffee-shop, and they came to tell me they thought they were goods abstracted from the fire, I said, "How do you know it is the same person? let him make his claim to the goods, and then we shall know, but you may go and take up an innocent man"—I did not see the policeman after the prisoner went away—I had my doubts whether the prisoner was the man who had left the parcels—I always had my doubt of it.

MR. KELLY. *Q.* Did you apply to the police, or did they come to you? *A.* They came to me most earnestly urging his being taken—I set my face against it, and endeavoured all I could to dissuade them—it was contrary to my wish that any policeman came and took him.

(*The claim, No.* 1, *made by the prisoner was here read in part. The account of stock was as follows* :—)

STOCK ACCOUNT.

Dr.	£	s.	d.	*Cr.*	£	s.	d.
Value of stock as taken on the 31st of Aug., 1836, as per stock-book	2910	8	0	By cash taken from the 31st August, 1836, to 20th January, 1838....	2580	15	4
To goods purchased since the above date, as per vouchers	2587	16	8	By Book debts, about.....	200	0	0
To ditto, in smaller sums, the vouchers being destroyed by the late fire, but can prove them by the makers	100	0	0	By balance, the supposed loss by the Fire	3217	9	8
Profits on return of £2580 16s. 9d.	400	0	0				
	£5998	4	8		£5998	4	8

To balance carried forward, £3217 9s. 8d.

SUMMARY, OR THE VALUATION AMOUNTS BROUGHT FORWARD.

Page		£	s.	d.
9.	The balance on loss of the stock shown, as per papers delivered, the books in hand, or by a lengthened detail, as placed in all the various compartments of the shop, should it be particularly requested	3217	9	8
9	Amount of fixtures and implements.....	147	5	6
	The Stock in trade, fixtures, and utensils	3364	15	2
6	Household furniture, wearing apparel, plate, printed books, wine and other liquors	360	5	0
7	Watches and trinkets	45	7	6
7	China, glass, plate, and looking-glass.....	[illegible]	[illegible]	[illegible]
		£[illegible]	[illegible]	[illegible]

(*The claim, No. 2, was precisely the same, except that the articles stated in Mr. Campion's evidence were struck out.*)

GEORGE TAYLOR. I live at No. 29, Molyneaux-street, which is about half a mile from High-street—one end of it comes into Queen-street, and the other leads to Edgware-road. On the night of Saturday, the 20th of January last, I happened to be at the corner of Weymouth-street, between twenty and twenty-five minutes past twelve o'clock—it leads into High-street—I knew the house that was occupied by the prisoner before it was burnt down—it was at the corner of a street called Bowling-street, in High-street, on the northern side of Bowling-street—Bowling-street runs into High-street—I observed smoke issuing from the shutters, carrying a smell of fire with it—I knocked at the shutters, but received no answer, and I went to the private door—I knocked at the private door, and was answered by a female, who I supposed to be a servant—she came to the door—it was Ann Wright—when she opened the door I asked if there was any thing the matter in the shop—she answered, "It is a bit of an accident"—I looked into the shop, and saw it was full of smoke—I went into the passage, and looked through a door, which was half glazed—that was open, and I could look into the shop—I saw smoke coming from underneath the stall board of the window—I said to the girl, why did she not give some alarm—I thought the place was all on fire—there was a good deal of smoke in the shop—I observed some woollen goods or shawls hanging up in the shop, and observed an appearance of light through the shawls—I saw one, two, or three lights—they were in different parts of the shop—I staid there about five minutes—I did not see the prisoner or any part of the family, but the servant—I left, and went to the adjoining house—the fire appeared to grow up very rapidly indeed—when I first observed it in the shop it was nothing more than smoke, and in less than five minutes after it was all in a flame—there were gas burners in the shop—I did not observe any fire coming from under the stall-board when I first went, but I did about a quarter of an hour after, when I returned—two gas-burners appeared to be nearly over the stall-board, and one to be nearly over the counter—I did not observe any flame at all near the stall-board when my attention was first called to the smoke under it, but I did when I came back the second time—it was then all in a blaze—I gave an alarm to Mr. Bicknells, next door—when I first observed the smoke issuing from the shutters I was outside.

Q. Was there a considerable quantity or a small quantity of smoke when you first observed it? *A.* It appeared to be coming over the whole of the shutters at the crevices at the top—I smelt fire as well—the smoke appeared to come in considerable quantities when I first saw it.

Cross-examined by MR. BALLANTINE. *Q.* This was between twelve and one o'clock in the morning, I believe? *A.* It was—the shutters were closed—I was not able to discern a light between the crevices, only the smoke pouring through, similar to coming from a baker's shop—I believe there were several shawls in the shop, suspended on lines—I did not see any light from fire at first—I could not see the shawls afterwards—I saw a gas lamp burning at first—I saw that through the shawls—the shawls appeared to be hung across the gas lamp.

MR. CLARKSON. *Q.* Then, according to your notion, did the gas appear to be burning in the proper gas-light? *A.* It did—I am positive of it, and that I observed through the shawls.

JOHN SIMMONDS. I was a policeman in January last. I was on duty

on the night of the 20th of that month in High-street, and about half-past twelve o'clock a servant-girl came to me, and gave an alarm of fire—I went immediately to Mr. Miers's house, and went in at the side-door, in Bowling-street—that door opens into a passage, and then there is a glass door, which opens into the shop—the shop-door is in High-street—when I went in at the private door I looked through the glass door, and saw fire burning on the left-hand counter as I went in—it was a very small light, I should say, about a foot above the counter—Mr. Miers was in the passage as I went in—the same passage by which I entered—he was dressed the same as I am now, all but his hat—he had no hat on—his wife was with him—as I stood, the fire was on my left hand, at the stall-board, or counter.

GEORGE TAYLOR *re-examined.* *Q.* What is the thing you call the stall-board, from under which you saw the smoke coming? *A.* The bottom of a shop-window made for goods to show.

JOHN SIMMONDS (*continued.*) The fire appeared to me to be on the counter—I saw distinctly the fire on the counter, and a small blaze on the top of it—that was all I observed at that moment—Mr. and Mrs. Miers were in the passage, and Mr. Miers said to me, "Do what you can, my shop is on fire"—I then immediately inquired for some water, and he said, "We have not got a drop, we are entirely frozen out"—at this time the smoke was very dense—in the meantime, while inquiring for some water, the servant girl brought up a small bucket of water—I threw that on the flames as well as I could—I then inquired for some more, and while I was passing the tub back, the girl brought a second pail of water—I threw that in the same place, but found it had no effect whatever—I then said the best way would be to go away—the people outside had broken down the shutters, and let the draught in, and the flames were bursting about—I saw Mr. Miers give his wife, I cannot say what, but it appeared to me like a box—I dare say it was about the length of this testament—it was like a small tea-caddy—I can compare it to nothing else—there were some papers in it, and he said to her, "My dear, be careful of this"—I immediately went out, as the smoke was so bad, and that was all I saw.

Cross-examined by MR. PHILLIPS. *Q.* Did you take Mr. and Mrs. Miers out with you, or did they go out? *A.* They went out I suppose—I did not take them out—it was not safe to stay there—the phrase Miers used to me was, "Do what you can for me, my shop is on fire"—nothing else.

Q. On the oath you have taken was it not this, "Policeman, for God's sake do what you can, my shop is on fire?" *A.* Well it was to a similar effect—I did not think you would come so close to me—I have told you the plain truth—I have left the police—if you will inquire of the Commissioners they will explain why, I shall not tell you unless his Lordship requests it.

COURT. You had better answer it.

MR. PHILLIPS. *Q.* Why have you left the police? *A.* I dare say it is what you have been addicted to yourself—taking a drop too much—now I have told you—I was dismissed for drunkenness.

Q. How many complaints had been made against you before you were finally dismissed? *A.* Am I bound to answer that?—if you will inquire of the Commissioners they will tell you—I cannot—they might be so many—I cannot tell you how many—if you ask the Commissioners they will tell

Q. They were so many you cannot say? *A.* You may have it your own way—I shall not say any thing of the kind—I dare say there might be three complaints.

Jeremiah Brown. I am a hair-dresser, and live at No. 16, Great Marylebone-street, which leads into High-street. On the night of the fire I was in Wimpole-street, and heard some person calling "Fire!"—I found the fire was at the prisoner's shop—it was about a quarter after twelve o'clock—there was a policeman there, and somebody dressed in plain clothes, who I believe was the witness Taylor—I saw smoke coming from the top part of the shutters—I did not observe the private door at that moment—I did within a minute after—it was in Bowling-street—it was open then, but I do not think it was open when I first went up—I went in and got to the counter—I could discover a fire, but there was a number of things hanging about my head, and the room was full of smoke—I pulled as many things down off the lines as I could, about fifteen or twenty in number—they were fancy woollen shawls, and cloaks, and things—I had been in the shop once before, and knew the situation of it—I observed fire in the left-hand corner of the shop pointing to High-street—it appeared almost as if it was some linen caught a light—it was not so high as the stall-board of the window, not so high as the counter when I first went in—as I pulled the things down, I could feel the counter quite on to the window—the smoke was so much I drew the things down—the fire was on the ground—I should not think it had got up above two feet from the ground—it very soon entirely consumed the shop—I took the things out and returned, but did not get any more out—I had been in the shop about a fortnight before that night—I had gone there to purchase something—I observed shelves about the shop when I went then—I did not make any observations as to the state of the shop—I consider it was a small shop, and I should think there was very little stock in it, from what I could see—I was not able to obtain what I wanted—while I was there, two ladies came in and asked for black silk stockings—Mr. Miers was in the shop—a parcel was shown to the ladies, containing black silk stockings—there were but two pairs as far as I could see—I saw no others produced to the ladies—they asked if he had any more—he said the quality of those was very good, he had no more, and the ladies went away—I went to buy a piece of mattress binding, but did not get it—I did not make any remark to my wife when I got home, as to the state of the shop.

Cross-examined by Mr. Phillips.—*Q.* What was the sum you intended to lay out for the article you went to buy? *A.* I believe it is only about 15*d.* or 16*d.* a piece, and I wanted half a piece, that would be 7½*d.*—I was in the shop before the ladies came in—I stood on one side to allow them to be served before me—I will swear I saw only two pairs of stockings in the parcel—I will not swear there was not three—I do not know whether I have always said that the ladies asked if he had more—this was rather before January—there was a very severe frost—I am quite sure I made no remark to my wife when I went home—some of the shelves were nearly full of goods, or they might be full—I could not swear to that—many of them were nearly or quite empty—I will not swear whether many of them were full or not.

Mr. Clarkson. *Q. Did* you observe that the shop was very indifferently stocked? *A. I did*—there were a great many empty shelves.

GEORGE MARRIOTT. I am an assistant jailer at Bow-street. I was passing near Mr. Miers's house on the night of the fire, from a quarter to half-past twelve—I could not say to five minutes—I saw smoke coming out at the door in Bowling-street—I shoved at the door, and saw Mr. Miers and a lady in the passage—I said, "The house is on fire"—looking to my left hand, I saw things burning in the shop, at the left hand side of the shop—it appeared to me that there was fire—things on fire at the back of the counter and at the side of the counter—Mr. and Mrs. Miers were standing in the passage, at least a gentleman and lady—they were doing nothing at all—I did not go into the shop—I attempted to go up stairs—I think I went up two stairs, or it might be three—before I attempted to go up I asked if any persons were up stairs, were there no lives to be saved—Mr. and Mrs. Miers were both standing there together, and Mrs. Miers said nobody was in the house but their two selves and the servant, and the servant was gone to look for a policeman—I continued there a very few minutes—when I had gone up two stairs, I came back and went out—I did not see Mr. and Mrs. Miers after I came down the stairs—I met a policeman with a pail of water in his hand—I said to him, "A pail of water is of no use"—I cannot say what he did with it—I did not see anything more than the policeman with the pail of water after I had come down—I ran to the door, and inquired if the engines and turncock were got, and went out of the house—I stopped about there till five o'clock in the morning, or between four and five—I should say the house was down in less than an hour—I think so.

Cross-examined by MR. PHILLIPS. *Q.* You were not before the Magistrate, I believe? *A.* I was not.

JOHN COX DEAN. I am one of the firm of Orchard and Dean, ironmongers, in High-street. My house is about forty yards from the house which was occupied by Miers, on the other side of the way—I heard from my house an alarm of fire—I got up and went to the spot—the shop shutters were not down when I got there, they were up—I assisted in unbarring them—they fell outside, and I saw the flames issuing from the shop—the flames and smoke were too intense to admit of my seeing into the shop, and I do not think I could form any judgment of what was in the shop.

Cross-examined by MR. PHILLIPS. *Q.* Were you before the Magistrate? *A.* I was not.

JOHN THOMAS CLARIDGE. I lodge at No. 27, Weymouth-street, which is, I think, about sixty yards from Mr. Miers's house. I did not know Mr. Miers personally previous to the fire—I had seen him at his door—I do not know that any one lodging in the same house with me knew him—on the night of the fire I went to Mr. Miers's house about half-past twelve—there was a man in a Mackintosh cloak, Mr. Miers, and the policeman there—directly after I entered the house Mrs. Miers came down stairs—she went to the house where I lodge—after taking Mrs. Miers there I went out again to the fire, and about three o'clock, when I went home, Mr. Miers was sitting by the side of Mrs. Miers by the fire—Mrs. Miers had remained there from the time of the fire till about a quarter after three o'clock, when they left—I found them together there when I went in—they were in deep conversation, which was principally carried on in whispers—they did not appear to be at all agitated—they appeared so calm and collected, that I mentioned it to somebody—they staid about a quarter of an

hour or twenty minutes after I got in, and then went away—I asked the prisoner if he had any idea of what was the cause of the fire—he said he had none whatever, that he closed the shop about half-past eleven o'clock, and was not in it again until after the alarm of fire was given—I did not ask him any other question—they went away from our house in a coach.

Cross-examined by Mr. Phillips. *Q.* Did you see Mrs. Miers when she came down stairs? *A.* Yes—her stays were exposed and her hair was in paper—one paper on each side.

Mr. Kelly. *Q.* Was there any shawl about her? *A.* She had a shawl inside her stays.

William Baylis. I am a stationer, living at No. 4, Bowling-street. I happened to be coming up High-street at the time of the fire, about half-past twelve o'clock, or a little after—it was before the fire had showed itself—when I first came up, I had not observed the least appearance of fire—I went home, and had undressed myself—I was getting into bed when I heard the alarm of fire—I immediately put on my clothes, and went down—I know Mr. Charlton's door—it is No. 3, Bowling-street, next door to me, and opposite Miers's—Charlton's house is opposite Miers's premises—after the fire had been put out, I saw the prisoner standing leaning against Charlton's shutters, with his hands in his pocket, in a very cool and sedate sort of manner—I asked him if his family were all out—he said, "Yes," in a very low tone of voice, "they are down the court"—I then asked him if he had saved his property—he said' "No; I have saved nothing but two books"—I asked him if he was aware how the fire occurred, if he was aware of the origin of the fire—he told me, yes; it was caused by the gas—he said then that he had sent to the gas-fitter to come to ease the cock of the gas pipe—he mentioned the gas-fitter's name—the name of Defries—he said he had tried to turn the gas off, but could not—he said he had sent eight or ten times within the last month, and the man had neglected to come—I said, "If it had been my case, I would have sent for another gas-fitter, and not waited for him"—he said he had broken three keys in endeavouring to turn it off.

Q. Pray do you, among other articles, deal in coarse brown paper used for packing parcels of linen in? *A.* I do—on the Monday before the fire, Mr. Miers had purchased some of that sort of paper of me—I had sold one quantity to him which had been previously looked out by his young man Midgley—I have frequently observed in shop-windows in London, bills notifying that goods are to be sold off—before the fire, I had observed a great number of such bills in Miers's shop—it is twenty-two yards and a half from the centre of the threshold of my door, to the centre of the threshold of Mr. Miers's—that is the private door across the way—I remember the morning of last Christmas-day—I was up early that morning, as is my usual custom—I was up a quarter before six o'clock, and was at the shop door—at that time it was dark—there were gas-lights in the neighbourhood—I observed a coach draw up to Miers's door, about ten minutes before six o'clock—I had the curiosity to watch it, and observed a man and one or two females come from the private door—I observed them get into the coach several times, and I observed that they had parcels in their hands—the only male person that I consider I knew was Mr. Miers—I saw him—I saw him come from the private door to the coach several times, each time having a parcel—*the private door remained* open—I know the person of the servant girl—*I saw her standing on the* step of the door—some of the parcels were

quire of brown paper on the Monday previous to the fire—I sup
used that sort of paper in packing parcels—I did not go across wh
the coach—I thought it possible he might be going on a visit, a
was doubtful whether it was so—I do not say that I stated whe
examined before, that my suspicions were not excited, that I tho
was going to spend a day in the country—I thought it possible t
were going out to spend the Christmas-day—there was nothing to
my going across and seeing what they were about.

Mr. Clarkson. *Q.* Were you on such terms with Mr. Miers
at liberty to go and examine the coach, or look into his hands? *A.*
have done so, but I should have thought it very rude.

Nathan Defries. I live at No. 41, Paddington-street, and an
gineer and gas-fitter. I knew Mr. Miers's house—I fitted up gas
in his shop (*referring to memoranda*) on March 26th, 1837—soon a
house was fitted up Mr. Miers complained of a smell—I attende
and after two or three examinations found that the carpenter had
nail through a brass pipe—I remedied that soon after the 26th of M
the last time I made any repairs in gas-fittings was, as near as possi
months ago from this time—I cannot say in what month—it was so
it was not booked—I sent my man—I never work myself—I ha
that had an application from the prisoner to repair a key—whe
repair it, it was not so, the pendant was loose in the ceiling in cons
of the carpenter not screwing the branch up, and that was repaire
was six months ago—I have not been applied to by Mr. Miers since
make any repairs in the gas work.

Cross-examined by Mr. Phillips. *Q.* Did you go yourself to Mr.
A. I did in one instance—I was sent for but once—I cannot say wh
called—my clerk took the message—he is not here—his name is Fre
he has left me—I sent a man named Lewis to repair the gas fitting
not here—that was the occasion I went to Mr. Miers in person—the
male lodger living with him—I do not know his name—I saw a ma
on the first floor—I cannot tell where he lodged—my clerk never
Mr. Miers to my knowledge—I never received but one message—
than one came it must have come to my hearing—I have no doubt i
have been booked or slated—it was the job that was too slight
booked, but the order must be entered on the slate or book—tha
strict orders—my orders were not disobeyed on that occasion—it wa
booked or slated—I cannot say whether it was booked or not—
books at home—I cannot venture to say what distance Mr. Miers
from me—it is not very far—if a gas pipe is not properly repaired it dis

the gas so as to emit a very unpleasant smell, which would be offensive to the house.

Mr. Clarkson. *Q.* If a message had been sent to you eight or ten times in the course of the month the fire happened, according to the way your business is done, must it have come to your knowledge? *A.* Most decidedly.

William Gattrell. On the 23rd of December last, and from April to that time, I lived with the prisoner Mr. Miers as shop-boy—I quitted on a Saturday—at that time my master carried on business in High-street—the second-floor front room, the kitchen, and the back parlour, were all the rooms in the house that were furnished at that time—there was a closet with just room enough to hold a bedstead—the second-floor front room was furnished as a bed-room—when I went there in April there were no other furnished rooms than those I have named—I know Midgley—when I first went to live with Mr. Miers, Midgley was his assistant—I went in April, and Midgley left about two months after, I should think—he was to take a shop in Crawford-street—Midgley's wife is sister to Mrs. Miers, my master's wife—Midgley was succeeded by a man named Govier—I think he remained about a fortnight or six weeks—during that time Mr. Miers was taken ill, and was confined to his bed—after Govier left, a man named Thomas Davey became assistant—he staid I think about a month or six weeks—on some few occasions, within the last month I was there, I remember customers making applications for things and going away without them—when persons made applications for things he had not got, Mr. Miers said he should get them in on such a day, but he did not get them in at all—I noticed that at the time—it was my business to attend in the shop.

Q. How much money should you say was taken over the counter in a day in November or December, to speak liberally? *A.* I should say about 3*l.* one day with another—I used to go to the till for change when I wanted it—during the latter months I was there I heard the prisoner complain of trade many times—during the latter part of my time in his service, Mr. Miers used generally to go out between eight and nine o'clock in the morning, and return about nine or ten o'clock at night—he staid away frequently all day in the course of the last two months—he used to return sometimes before and sometimes after the shop was shut at night—during the latter three or four months of my time he was very little in the shop—it was customary for the shop to be supplied with pins, tape, worsted, and cotton balls, about every three weeks, according to the course of business.

Q. During the time you were there, from April to December, was there any considerable supply of goods, linen, and such stock as that? *A.* He used to have some calico in—I do not know from whom—he had not much in while I was there—I do not know at what time the calico came in—he always used to keep a supply of calico in—there used to be some Irish linen on the top row of shelves—before I left, they had been sent away—it occupied all the top row, or part of it, on one side of the shop, and at the back—when they went away the shelves were supplied with dummies, which were bits of wood tied up in blue paper, representing linen—the shawls were kept in two or three drawers, the drawers were kept under the counter—we had no boxes of shawls—he had some in linen wrappers—some of the shawls were sent away about the latter part of my time—I have heard my

sent away without being packed—I was sent to Midgley, in
street, after he took the shop there—I went with goods, not mo
or six times—I carried them myself—they were middling-si
half as large again as that box—I used sometimes to take one
two—Midgley was in the habit of coming to and from the shop
at the time he was going to open the shop that these goods
there were no fresh supplies of flannel and linen during the l
the time I was with Mr. Miers—the stock became diminishe
ing these goods away—towards the latter part of my time th
ill stocked, there were very few goods in it—I cannot for
of the value of the goods in the shop—I know Mr. Defrie
fitter—I was sent to him by my master in the summer—there
escape of gas in the window in the branch-pipe, the message w
it—I delivered the message—Mr. Defries sent a man and re
I was sent to Mr. Defries before that—the last time I was sent
summer—I had never been sent since the summer of last
I was sent, the man came and did what was required-
time I went in the summer I never heard or received directio
master to go for Mr. Defries—I did not hear my master, durin
part of my time, make any complaint about the gas—there w
person to go on messages, from June to December, when I lef
master closed his shop at ten o'clock on work-days in the week,
turday nights between eleven and twelve o'clock—I used to
out on Saturday nights as well as other nights—I always turne
gularly—I left my master because I did not suit him—I coul
work well enough for him—I had to clean the gas glasses in t
of the shop, that was what I did not do to his satisfaction—t
reason he parted with me—he said I did not go on his erra
enough—I was not charged with dishonesty of any kind—th
other reason, but not going on errands quickly enough, and
the glasses.

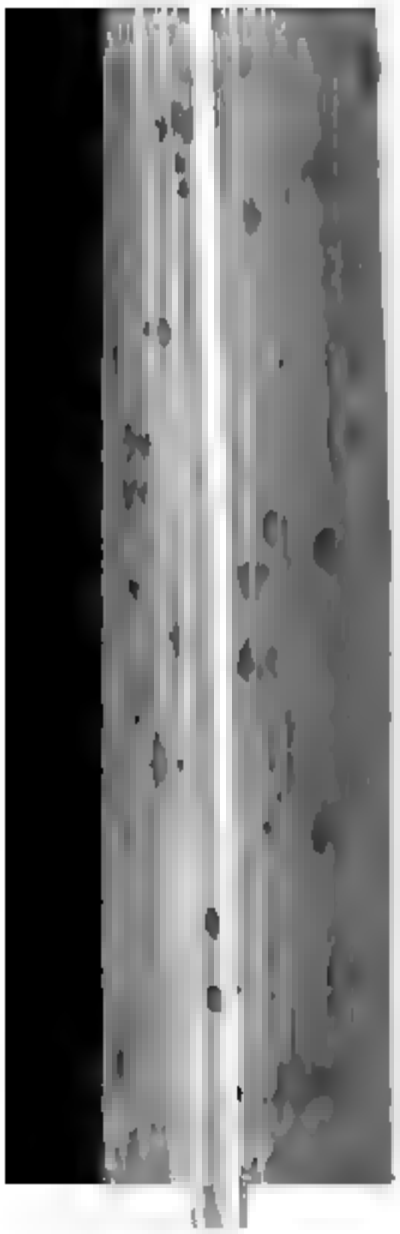
n—I cannot tell whether I have seen him within these six weeks—I do t know whether he wrote my evidence down—I do not recollect whether told him what I have sworn to-day—it was in a house I saw him—I do t recollect the name of the street—I have seen that gentleman somewere, but I do not know where—I saw him in a house—I do not know w long I was in the house with him—I spoke to him—I might have oken to him—I do not remember whether I spoke to him or not—I do t know how long I was in the house with him—it might have been an ur—I am sure I do not know—I was in the same room with him—I do t know how long—I only saw him once—I never saw him more than ce, to my recollection—I do not know whether it was before I went fore the Magistrate—I cannot say whether it is a month ago—I only w the gentleman once—I am sure I do not know when it was, and I do t know where—I quite forget whether anybody was in the room, or not there might be half-a-dozen persons in the room for what I know—I do t know who took me to the gentleman—I did not know who the gentlemn was—it was not a woman or a child took me to the room—it was man took me—he had the appearance of a gentleman—he did not tell what he wanted with me—I think he found me at my place in Oxfordeet—he might have found me there—I do not know how far he took me fore we got to this gentleman's house—I do not know whether the man nt into the room with me where I found the gentleman.

Q. How did you find out the room the gentleman was in, if you do not ow whether he went in with you? *A.* I said it might have been in a om—I did not say it was in a room—I might have seen him in a room, what I know—I am sure I cannot say whether I was in a room with n or not—I do not know whether I was in a room, or in the street with n—I said I might have been an hour with him, or a minute, for what I ow—I do not remember whether it was in the open air, or in a house—saw him.

Q. You have said you lived in the house of Mr. Miers from April to ecember, is that true? *A.* Yes—I was turned away on the 9th of Nomber, because I was saucy to Mrs. Midgley—my mother did not ask r. Miers to take me back—he did take me back—he sent for me, at ven o'clock, one night, when I had been a fortnight out of his service.

Q. How came you to swear that you were in his service from April to ecember, did not you think I knew nothing about it? *A.* I am sure u knew about it—I was sent three times to Mr. Defries—I am not re whether I saw Mr. Defries each of those three times, or his young n—I saw Mr. Defries once, I know, at his own house—I told him the essage my master sent—I told him there was an escape of gas in the ndow—I am not sure whether I told Mr. Defries, or the man, that—I d see Mr. Defries at his own house—I do not know what I told him—I nt to him because there was another escape of gas between the flooring the times are intermixed—I cannot say what message I gave the first or t time—I went to him on account of some escape of gas each time—ing saucy to Mrs. Midgley was the reason I was discharged—when I ed with Mr. Miers, I used to sleep up in some room called the warehouse, on the other side of the yard.

Q. Did you find yourself two or three different nights from your home en you ought to have slept there? *A.* I did once—I am going on for



lebone—I think it was near the middle of February that I w
Rickards, or it might have been March—I think it was about a

Q. You have been asked whether it was in a room or not; d
this place a room you are in now? *A.* No, I saw him in the
was a place where there were desks and a railing fencing off one
place from another—he had a paper before him while I was the
was writing—I had never seen Mr. Rickards before I went there-
came and gave me notice that I was to go there.

Court. *Q.* Why not state all this when the other gentle
you? *A.* I did not know the gentleman's name.

Mr. Kelly. *Q.* You have been asked if there was anybody
same room or office; do you remember who took you in the
went and knocked at the door, and a clerk opened the door—t
person—he showed me into the office—I could not see anybo
were outside the railing—I was inside it, and could not see any
side—this was after I had been to the police-office—I do not re
long it was after.

Q. Now did Mr. Rickards, the gentleman you saw in the offi
questions about this business? *A.* Yes, and I gave him answe
received letters from him since that, stating the time I was to
except that I have had no communication with him at all—the
Mr. Miers and went to Wandsworth, was on the 8th of Noven
came back that day fortnight—the night I went to Wandsworth
in the fortnight—it was the first night—I staid the rest of t
home—my mother went to Mr. Miers, and asked him for a cha
would not give me one—my mother said he ought to have given
racter, or else have me back, and a day or two after, at eleven
night, Mrs. Midgley came for me to go that same night, and I
morning, and then remained with him until the 23rd of December
came in my place—I saw him there.

Mr. Phillips. *Q.* How did you find your way to Mr.

went to him in November the family consisted of himself, Mrs. Miers, and Mrs. Midgley—but Mrs. Midgley went away before Christmas—there was then only Mr. and Mrs. Miers, myself, and the shop-boy, William Gattrell —he went away in December, and Mr. Midgley came the same night as Gattrell went away—Midgley remained there till he went to Whitecross-street prison—that was three or four weeks before the fire—after he left, there was nobody in the house but myself and Mr. and Mrs. Miers—I was servant of all-work—I did the whole work of the house—Mrs. Miers has one child, a little boy, fifteen or sixteen months old—it was not at home at the time of the fire—the child was away when I went to the situation—the child did not live in the house at the time I was there—mistress's mother, Mrs. York, had it.

Q. What time used the shop generally to be shut up? *A.* There was no certain time—sometimes between nine and ten o'clock, and it has been eleven o'clock—it was later on a Saturday—it has been eleven o'clock and half-past eleven o'clock, and sometimes later, on a Saturday night—after Gattrell and Midgley went away, my master and the lads that came used to shut up the shop—the gas-lights were not always put out when the shop was shut up—they were left alight all night some nights—after William Gattrell left the service the lights were put down low—not left a full light —so as not to be quite out, but yet alight—my master used to do that.

Court? *Q.* The first time was after Gattrell left? was it not till after he had gone, that you first knew the lights left at all? *A.* No, it was after Gattrell left—before he left they used to be put out.

Mr. Kelly. *Q.* Now, do you remember the night the fire happened? *A.* Yes—my master went out about eleven o'clock that night—he was not long out—he came home from eleven to about a quarter or twenty minutes after eleven o'clock, and he had been out in the afternoon—when he came home he had his supper, and then shut up the shop.

Q. Do you remember whether when he shut up the shop he put the gas lights out or lowered them? *A.* No, I cannot say—I do not remember one way or the other—when he had had his supper and shut up the shop, I went up stairs with my mistress—that was at ten minutes or a quarter after twelve o'clock—I remained with my mistress from a quarter of an hour to twenty minutes before Mr. Miers came up—during that time he was down below alone—he then came up—I remained up stairs about five minutes after he came up—I remained in the room—I then went down stairs with the warming-pan in my hand—when I got down, I observed the curtain was undrawn, and a large worsted needle stuck in the curtain—seeing the reflection in the glass, I looked on the counter, and saw a light, it was a muslin curtain to the glass-door which separates the parlour from the shop—the bottom part of the door is wood—the curtain of that door was undrawn—I looked through the glass-door, and saw a light on the left-hand side of the counter—as you look through the glass-door the counter is on the left-hand side—there were two windows to the shop—the window was near the end of the counter—there were two counters—the light was at the left-hand counter, near the end, near the window—there were some prints hanging, and there was a light as if it went from these prints, and they were in a flame—when I saw the fire, I called to master twice, "Please, Sir, will you come down stairs"—the door was locked which led into the shop—I did not try it, but the keys were up stairs—my master came down, and desired me to go for the policeman—he had his coat and waistcoat

off—he went up stairs again—I did not do as master desired me—I went up stairs with him—he said to mistress, "My dear, get out of bed, the shop is on fire"—the keys were on the drawers—I took them off and gave them to master, and then went down to the policeman, leaving master in the room—I went down stairs and got some water for the policeman—I brought the policeman in with me—I got the water from the wash-house in the yard—there was a pail and a foot tub, with two handles—I had put the water in the tub for the next day's use—I had got the water out of the wash-house, which was up stairs in the yard, in a large water-butt—I could not draw the water out of the tap—I dipped it out with a jug—the water was frozen—I brought the water and gave it to the policeman—I then went up stairs for mistress's cloak and bonnet, but I could not get the closet door open where her bonnet was kept—I went down with the cloak, and master told me to go into the back warehouse with mistress, and I went out with her—I did not remain more than a minute after I brought the policeman in—I went with my mistress to a neighbour named Watkins, but I did not stop there when mistress was there—I did not stop long in the parlour—I went after the engine to Marylebone station-house—I went of myself—after that, Mr. and Mrs. Miers had a coach, and Mr. Miers left me at my own home, at three o'clock in the morning, and was to let me know where to come to them—he came on Monday and told me to go, and on a Tuesday morning I went to my mistress in Ingram-court, Fenchurch-street, to the house of Mr. Bustin—he is a relation of Mr. Miers's, I believe—I remained there, I think, a fortnight with mistress—I staid there till Mr Campbell, the policeman, came—Mr. and Mrs. Miers remained there also—I went into Mr. Miers's service on the 15th of November.

Q. Did Mr. Miers get any quantity of goods in after you went in November—was there any considerable quantities of goods brought into the shop? *A.* No, I did not see any—I think if there had been any large quantity I should have seen them—I could see into the shop through the glass door, and when my master had no man I used to watch the shop door while master and mistress were at dinner—I did not serve in the shop—the shelves were not full, some of them had two or three things on and the others were not full—the shop was not well stocked.

Q. You say you did not see any large quantities of things come in; do you know of any thing going out after you got there? *A.* Master took some parcels in a coach on Christmas morning, between six and seven o'clock—he had desired me to call him, that Christmas morning, at five o'clock, and I did so—he went for a coach, and the coach came between six and seven o'clock—Mr. Midgley had come on the Saturday as Christmas-day was on Monday—on the Sunday, the day before Christmas-day, master and Mr. Midgley, his brother-in-law, were at work in the shop from eleven till six o'clock—they were measuring things off—some were in wrappers and some in brown paper—there were some merinos measured off on the parlour table on the Sunday, and some table linen I saw on the counter, and things—some of them were large parcels—when the coach came on Christmas morning, master placed the parcels on the stairs, and left them there till he came back with the coach, and I gave the parcels to him—one side of the coach was full, and part of the other—master went on one side of the coach with the parcels—they were heavy parcels, and of different sizes—two or three were large parcels—some of them were much larger, but none so small as this box—they were packed in coarse

brown paper, and some with wrappers—some were the length of a long cane —all the parcels that master had placed on the stairs were put into the coach—nobody went with him then—the coachman and he drove away—I did not hear where he was going—his wife did not go with him—he came back about half-past twelve or twenty-five minutes to one o'clock—he then went up stairs to dress, and dined with Mrs. in Whitechapel, and mistress went with him—I do not remember any goods coming into the shop after Christmas-day.

Q. Now, do you remember during the time you were there any other goods going away? *A.* At the time Mrs. Midgley went away, before Christmas morning, there were two trunks, and master took some parcels then, but I did not look at the size of them—one trunk was a black one and the other a coloured paper one—I do not know from my master whether he went the night before the fire to Ingram-court—he went out on Friday, but I cannot say to any time—during the latter part of the time I was there my master was not much at home—he did not spend much time in paying attention to his shop during the latter part of the time—not more than usual—mistress attended to the shop, and master went out—a lad was hired as shop-boy, and came on the Friday before the fire, and went away on the Saturday afternoon—his Christian name was John, his other name I do not know—I did not hear my master say who he was, or any thing about him—he went away on Saturday, and was to return at six o'clock on Saturday, but he did not return—that was the night of the fire.

Q. Had you the means of knowing, from living in the house as the only servant, what articles of furniture, and what things there were in ordinary use in the house? *A.* Yes—there was a bedstead in the back room, second floor—there was not any set of Merino curtains and drapery, there was no such article in the house—there were short muslin curtains—there was a mattress but no palliasse—there was not eighteen yards of damask carpetting—there were some pieces of carpet put down, but no damask—they were old pieces of stair-carpet—there was no hearth-rug, nor any chest of mahogany drawers—there were not four rose-wood chairs—there were three chairs, but no window-curtains in the back room—there were no toilet covers in that room, nor any cut-glass bottle and tumbler, or japanned towel horses—there was no towel horse at all in that room—there was no easy chair with chintz cover, in the front room, second floor—there was one pair of large blankets, but not two pairs—there was one large thick blanket and one under blanket—three blankets altogether—there was no mahogany cheffionier—there was no blue breakfast service in the kitchen—there were four large breakfast cups and saucers, and basin to match—two of them were kept up stairs—there were no small cups and saucers in general use —there were not so many as thirty-four of any thing, of a blue breakfast service, or other service at all—the breakfast cups and saucers were common willow pattern—there was no small tea service—master and mistress always used the large cups and saucers—there were china cups and saucers always kept in the parlour closet—there was a large tea-kettle in use—the copper tea-kettle was not used often, and it was not large—there was a small deal chest of drawers under the window in the kitchen—there was not more than half a bottle of wine in the house in a decanter—there was not any besides what was in the decanter—there was no wine-bin with shelves—there was no spirits, brandy, or gin.

Q. What number of books were there in the house altogether? *A.*

The best books which I have seen were kept up stairs, on the toilet cover —what I have seen in the parlour was "Chambers's Edinburgh Journal," but only a few of them—there were no books in any place besides the toilet in the bed room and the parlour—I should say there were not more than a dozen volumes up stairs, but there was a closet over the parlour with numbers of "Chambers's Journal" in it—I have seen very few books, only numbers—I mean unstitched books—there were no books in the parlour, no volumes, only numbers—I should say it was not possible for 109 volumes of printed books to be in the house, or any thing like that number—there were about a dozen, and no more, up stairs, and some unbound numbers of "Chambers's Journal"—I have seen two or three taken to read from the closet in the parlour—that was the first time I ever saw them—that was one Sunday evening, when master went out, and mistress came home with master —Mr. Midgley had them reading—there was no rose-wood sofa table in the front room, second floor—there was no linen-press, with shelves, in that room, nor any chintz drapery for three windows with brass supporters—there were only two windows to the front room—there was no chintz drapery—there were some muslin curtains in the back parlour, but they were not up—there were none at all in the front room—Mrs. Miers had not any rich silk cloak—only the black silk cloak she had on on the night of the fire, when she went to Fenchurch-street—she had no boa—she had a muff, which was moth-eaten very much—I was desired to take it out into the wash house, and beat it, but I did not beat it then—I was desired to do that a week or a fortnight before the fire—at the time of the fire it was in the box—it was not fit to wear—there was no boa in the house—there were five pairs of sheets and six table-cloths sent away with Mrs. Midgley in a coach—at the time of the fire, there were only the sheets on the beds, except the sheets that went to the wash—there was master's bed, and the bed I slept on—there was a pair of sheets to the bed the boy slept on in the warehouse —they were on the bed at the time—I do not know whether my master had any gold watch—I did not hear him speak of any gold watch, till he was in Fenchurch-street—I then heard him speak of one—he was making the inventory of the things lost in the fire, and he named about the watch to me then—he asked if I had seen the gold watch—I said, "No," I had not seen it—only a small silver watch he had in use, with a chain—he was writing down on paper the things that were lost—there was no gold watch in the house that I saw—I never saw one at all in the house, nor ever heard of his having one in his possession—it was a week, ten days, or a fortnight before Christmas that Mrs. Midgley took the trunks away.

Q. Was there any plate taken away in those trunks? *A.* Yes, two table-spoons, two salt-spoons, six tea-spoons, and a fish-slice—I did not see any plate in the house after they went away—the metal table and tea-spoons were always used after that—in the black trunk there were five pairs of sheets and six table-cloths, and some pillow-cases—I do not know how many—I did not see any of those things come back—my master went with Mrs. Midgley when those things were taken away—I was present in Ingram-court when master was making out the inventory—he described to me a sofa-table—I did not know at the time what one was, but when he described it, I had seen what he described, a table with two leaves and drawers—I remembered that I had seen such a table, but there was no sofa-table in the house at the time of the fire—he also named to me a sofa, but there was no sofa in the house—master was writing down when I said

there was none in the house—he told me if I was asked if there was a sofa-table I was to say yes, if they asked me at the Insurance office—this was on the Tuesday, the day he desired me to go to Ingram-court—nothing else passed between us at that time—he said he had the sofa-table in Oxford-street, but it was sold when they came to High-street—he also mentioned having a polished steel fender and fire-irons in Oxford-street—there were no such things in High-street.

Q. Were you sent at any time in February to Surrey-place? *A.* Yes, one Sunday morning after the fire—it was about a fortnight after the fire I went to No. 30, Surrey-place, Old Kent-road—it was a linen-draper's shop—I saw Mrs. Midgley there, and her sister Miss York, and Mrs. York—Mrs. Midgley and Miss York served in the shop—the next night Mrs. Midgley and Miss York, and a child, came to Ingram-court.

Cross-examined by Mr. James. *Q.* Can you write? *A.* No—my master made out the list of the kitchen utensils which were burnt—I furnished him with a list of the articles, and master added more things to it—master told me to recollect what was in the kitchen—a young man in the house where my mother lived wrote down the articles as I told him—he was not a friend of mine—I had seen him before—I cannot think of his name—you can hear of him at No. 37, Ogle-street, Marylebone, on the first floor—I cannot tell what business he is—he is a neighbour of my father's—he lives at No. 37, Ogle-street—I was in Ogle-street at my father's one evening, and the person wrote it out, and master saw it, and added more things to it—I can read plain writing—I did not read that list—I took it to my master after it was written—master told me and mistress to recollect if there was any thing more—I cannot say whether he told me I had not recollected all—I know there were more things added—master had papers before him—I cannot say what they were—some of them seemed bills—I could not read them—there were two chests of drawers in the room up stairs, and there was a Bible and prayer-book, and two other books, and a desk on those drawers—there were two books, one small and one smaller—some of the books were lettered on the back—on the table were smaller books—I can read the letters at the backs of books—one of the books was Clark's Prayers, or something—there was the name of Clark on the back of a book—I cannot say whether it was on the back of one or two—it was a small Bible and prayer-book—they had marks on them—there was not more than one prayer-book that I know of—I do not recollect Johnson's Dictionary, or two volumes of Cowper's Poems—I did not look at them all, and could not tell—I do not recollect them—the closets in the house were not locked—the chests of drawers were locked—one was master's, and one was mistress's—mistress had the care of the linen—the muslin curtains which were not put up were rough-dried, and put on the shelf in master's bed-room—the short muslin curtain remained at the parlour window—there were two japanned towel-horses in master's bed-room, which was the front room on the second floor—they could be moved from one room to another, but they always remained in master's bed-room next the window—there was one pair of sheets in use for master's bed, one pair for mine, and one pair for the boy's—I do not know how many pairs there were in the drawers—I have seen the drawers open—there were no sheets in them—they were all kept on a shelf in master's bed-room closet—I had seen the drawers open in the week—my mistress's was a squirrel muff—I had not seen my

mistress with a boa—I have seen her with a short ruff, but not a b —it was not a squirrel ruff, it was a plain one—I never saw her use t muff—it was not fit for use.

Q. Do you recollect Mr. Walters dining with your master? *A.* Ye he dined there often on a Tuesday—I cannot say how recently before t 20th of January he dined there—it might be a week or a fortnight, or two three weeks—I waited at table on that occasion, and attended as servant— was in and out—metal table-spoons and tea-spoons were used on that occ sion, the same as usual—at times the gas-lamps in the shop were left bur ing all night—they were left low, not full, but about one-third the usual heig —I did not observe the lights left so till after I had been there some tim —I went up stairs with my mistress about ten minutes after twel o'clock, as near as I can say, on the night of the fire—we went up stai together.

Q. Did you take the keys of the shop with you? *A.* Mistress's coal were in the candle-stick—as to the keys I cannot say, but I took the key from the toilet, and gave them to master in the bed-room—I found the on the drawers near master's bedside—there were two keys tied togethe with a string—master always took the keys of the shop up—they we usually placed on the candlestick, or on the drawers, or on the looking glass—I found them on the drawers—I cannot say positively that the key were not taken up in the candlestick or by my mistress in her hand— left mistress in bed, when I left the room, undressed, as usual—when went up with mistress I left master in the parlour, and master gave m a shilling to go for a shilling's-worth of brandy, which I got in a mug— when I discovered the fire, the parlour door was open, which goes into th parlour—I could see the reflection of the glass—the door was locked whic leads from the parlour into the shop—that door was usually locked—th parlour door itself was open.

Q. Had you retired, or got down into the kitchen with the warming pan, before your master went up? *A.* I did not go farther than the parlou before I called my master—my master had his coat and waistcoat off befor I left the bed-room—I was in the room about five minutes after he came up —I did not stop longer than giving him the keys and going out—I gave hi the two keys which unlock the shop door—I found them on the drawers nex the bed-side—that does not enable me to recollect whether my mistress ha them taken up—I cannot say—I do not know whether they went up or not, but I found them on the drawers, and gave them to my master—the boy wh came on the Friday was called John—he was a boy who had applied in th shop as errand-boy—he had seen a bill, I believe, in the window—there was an advertisement for a boy in the window—he left on the Saturday —he was to return at six o'clock, but he did not return—he went for some things—the kitchen was below the shop, down a pair of stairs—that wa more usually my place than the shop—it was in the front—there was a wash-house—I was not engaged there only when I was washing my things —I only washed once a week—it was possible to bring goods into the shop without my seeing them—I said no large quantities were brought—the shop was not well stocked as linen-drapers' usually are—I had nothing to do with the shop—the kettle was not a large one—it was a middling-sized one—I did not tell the gentleman at Ogle-street to put down a large one —I saw no quantities of goods come in a coach—whether a parcel or a hamper came I cannot tell—I did not trouble myself about the shop—if I was in the kitchen I could hear any large parcel come in by the weight

—if I was in the wash-house, of course, I could not hear—I do not mean to swear that no goods did come in—the lace was kept in boxes in the shop—I have seen the boxes as they have been serving—the boxes were the size of those books there—I cannot say whether they were kept in blue cartridge-paper cases—there were no merino window-curtains there—I was not there when Mr. Smith, the lodger, was there—whether the room was furnished with merino curtains while he was there I do not know—there were no lumber trunks in master's bed-room—there was a closet leading out of master's bed-room with a lumber trunk there—there were holland blinds to the windows—there was no cornice—there was a piece of flat wood on the top of the window, on which the curtains would rest, but there were no curtains up.

Q. Did you ever look into the trunk? *A.* I took a counterpane out for the kitchen, the same kind of counterpane as the boy had in the warehouse—there were no curtains in the trunk at that time—there were old tassels there, which looked dirty—they were not moreen—tassels are not made of moreen—they were a lightish colour, but dusty and old, not fit to put up—it was small worsted fringe—that is not in general used to moreen curtains—they are generally trimmed with velvet—it depends on the taste of the person—there were tassels, but not much of them—I have seen worsted tassels used with moreen curtains, but they are not used now.

Mr. Kelly. *Q.* You have been asked about Mr. Smith the lodger; when did he come? *A.* I do not know, it was before my time—there was no lodger in my time—Mr. Walters dined with my master—he is a lace-maker—he served master—he has dined there several times—he was intimate with master—there was lace in the shop at the time of the fire—there were caps and lace hanging on the lines in the shop—I do not know any thing of their value.

Mr. James. *Q.* In what state was the window of the shop left at night, were the things hanging up? *A.* The window was left the same as master dressed it in the day—the articles which hung there in the day, hung there all night—I cannot say whether the lamps were burning—master dressed the window on Friday, and it was left the same on Saturday night—I cannot say whether the lamps were left burning low on that night, but they have been left so often, since William Gattrell left the service.

(*The following is a list of the articles referred to by this witness, and included in the claim made by the prisoner.*)

"Back room, second floor, set of moreen curtains, furniture, drapery, &c., to bedstead, 5*l.* 10*s.*; mattress and palliasse, 2*l.* 10*s.*; eighteen yards of damask carpetting, 2*l.* 14*s.*; hearth-rug, 10*s.* 6*d.*; mahogany chest of drawers, 2*l.* 15*s.*; four rose-wood chairs, 1*l.* 7*s.*; window curtains, lath rods, &c., 1*l.* 10*s.*; two toilet covers, 9*s.*; cut-glass bottle and tumblers, 5*s.* 6*d.*; two japanned towel horses, 10*s.* Front room, second floor, easy chair, with chintz cover, 15*s.*; one pair of best blankets, 1*l.* 10*s.*; two ditto, 1*l.* 16*s.*; mahogany cheffionier, 2*l.* 2*s.* Kitchen, blue breakfast service, thirty-four pieces, 10*s.* 6*d.*; common tea service, thirty-six pieces, 15*s.*; one large copper kettle, 15*s.*; strong chest of drawers, 1*l.* 10*s.*—Passage, wine bin and shelves, 18*s.*; a dozen and a half of port wine, 3*l.* 10*s.*; twenty-three bottles of sherry, 3*l.* 18*s*; one gallon and a half of brandy, 1*l.* 10*s.*; two gallons of gin, 1*l.* 5*s.* Back parlour, 109 vols. printed books, containing eleven vols. of Imperial Magazine., 8*l.* 5*s.* Front room, second floor, rose-wood sofa table, 2*l.* 10*s.*; *linen press*, with shelves, 10*s.*; chintz drapery for three *windows, with brass supports* and muslin curtains, &c., 3*l.* 10*s.* Mrs.

before the 20th of January last, of going to the prisoner's hou
and in the course of the time I was there I became acquainted wi
in the different rooms of the house -about six months before th
there for a fortnight or three weeks—the parlour was fur
first-floor back room was not furnished, it was entirely empty, a
floor front, too, was quite empty -the prisoner occupied the
front room as his bed room - I removed the furniture out of
floor back room, down stairs during the fortnight or three w
was charing there—there was a stump elm bedstead, a li
washing stand, a deal table, two mattresses, and a comm
glass I know the sort of wooden rollers that it is common fo
pers to have silk on —there were none in the second-floor back
were in the warehouse at the back of the house—that was the
moved the furniture to from the back room second floor—I do
any thing else that I removed from there- there were several
lers in the warehouse—I think I removed those articles ab
before I left—it was the first week I was there—there was a
the warehouse, that was at the back of the premises—a yard
there was only a sort of loft and a bed-room over the warehouse f
there was a stump bedstead there of the same sort as had been
room on the second floor—there was also a common deal wash
plain deal table, a flock bed, and I think three blankets and two b
—there was no furniture in the rooms higher than the second floo
of the kitchens were furnished—there were two white dimity
the bed which the prisoner occupied—there was no valance t
the bed, there was to the bottom—the furniture of the house w
mon furniture.

Cross-examined by Mr. Payne. Q. I suppose you only
recollection of the things—you took no account of any? A
nearly nine months ago since I last saw them—I work at a

not given information about having lived with the prisoner.

Mr. Clarkson. *Q.* You staid about thirteen days with y after being charged with the robbery, explain what the charge A female was sent in to buy goods with two half-crowns, eigh and a sixpence—she purchased a print dress for 10*s.* 6*d.*, and stockings for 2*s.* 6*d.*—I served her—she was sent with marked n after she had made the purchase Mr. Miers came in, and took drawer out of the desk into a back place, examined it, afterw me into the parlour, and asked if I had sold the goods—I told hi he said it was very strange, there was 2*s.* short—after some tim me where the money was marked, and on looking through the found the two shillings marked as he had said—it was shown to he denied two of the shillings being marked—I proved another being marked, and he said it was the shilling the lady had give the bill—he said he was satisfied that what he had charged me mistake, and asked me as a favour to remain with him all the had not been originally engaged with him at all—I was engaged ley, in Crawford-street, but that shop was not opened—I w Midgley to Mr. Miers, till the shop in Crawford-street could be the prisoner did not make any charge against me before a Ma to an officer—when I met him in Farringdon-street he converse in a friendly spirit—he never repeated the charge of the mark after the drawer had been examined and the money found— marked shillings was afterwards found in the drawer, and the othe he had in his pocket—it was produced by him himself—I sta days after that, at his request—I made out my account at the tim and presented it to him, and he requested me to stay—there wa shopman employed at that time—Gattrell was in the shop all the was the shop-boy—he did not serve in the shop—he served small occasionally—he was errand-boy.

Q. With the opportunities you had, could you form a judgment of the value as to the stock in the shop? *A.* Yes—going at different times, of course, I could not examine it particularly—I have been a linen-draper fifteen or sixteen years—I should say, from what I saw, that the stock was worth 700*l.* or 800*l.*, but certain description of goods were kept out of sight, and I was never behind the counter—the stock appeared small, generally speaking—it was a general stock—I could not say any thing about the quality of it—I never saw any of it to handle it—there were linens, shawls, silks, and other things—they were the most bulky part of the stock—I did not see many of them—not to any amount—I know nothing of the quality of the stock.

Cross-examined by Mr. James. *Q.* When were you first at Mr. Miers's house? *A.* I cannot say—I was there five or six times—the last time I was there was the day he settled with me, the day the King was buried, on a Saturday—that is generally a busy season of the year, but in consequence of the death of the King it was flat—in the month of June, in linen-drapers' business, there would be more sold than at any other season of the year, and therefore a greater diminution of stock—stock is bought early in the spring for the summer trade, and in autumn for the winter trade—I was not there in autumn—how much might be diminished in June, and replenished in autumn, I cannot tell—I did not see any lace there—I saw the boxes—lace is generally kept in boxes, not exposed to view—what quantity of lace there was I cannot say—we generally form a judgment in proportion—I mean, if there was a quantity of merino, there would be a proportionate quantity of lace—it depends on the trade—I cannot say what the proportions are—some persons sell a great deal of lace, and others sell more of other goods—I cannot say what might be the value of his stock of lace—there might be 100*l.* worth of merino, and more of lace, but I cannot say, as I did not see it.

Q. Do you not know that Mrs. Midgley gave you an order on Mr. Miers to pay you your wages? *A.* No, I cannot say—I was referred to Mr. Miers—Mr. Midgley was in the country at the time, and, I believe, wrote a note to Mr. Miers to pay me—it was not communicated to me that Mr. Midgley had given an order to Mr. Miers to pay me—I understood from Mr. Miers that he had received a letter from Midgley, requesting him to pay me—he told me so—I gave a receipt for what he paid me—I was not examined before the Magistrate—I got my subpœna one morning about a month ago.

Mr. Clarkson. *Q.* I believe you were not found till after the prisoner was committed? *A.* No, I was not, at least during the examination—it was before the committal—it was the last day of the examination—I was not found till that day—I am in a shop, No. 68, Whitechapel-road, now—there is another assistant there besides myself, and four apprentices—the value of my master's stock, I should judge, is about 2000*l.*, and we have a stock of woollens worth 4000*l.* or 5000*l.* besides—I have made my estimate of the stock in High-street from the proportions which I consider one article bore to another, from what I have seen in other shops, regard being had to the situation of the shop—I do not speak definitely, or with accuracy—I believe the prisoner dealt in ready-made stays, and shoes, I believe.

Mr. James. *Q.* What would be the lowest value of the stock, where you now are, before you laid in a fresh stock for the winter? *A.* It might be reduced *some 300l. or 400l.*—we are always obliged to keep a certain

quantity of stock—October and November are what are termed dead months, generally—it depends on the season a good deal—our stock is not replenished till next autumn—we are constantly buying and selling.

WILLIAM CONSTANTINE. I am landlord of the house in Crawford-street, which was taken by Midgley, on May 16th, 1837. It was taken for a haberdasher's and draper's—he afterwards told me that he was not of age, and I refused to let him have the house, unless he paid for it by the week—the rent was not regularly paid—I was obliged to put an execution in for eight weeks rent—he was to pay fifty-two guineas a year, but in weekly payments, that would be 1*l.* 1*s.* 10½*d.* a week—it was eight times that—I saw Mr. Miers there before I put the distress in—when I applied for the rent he was there—he wanted me to give Midgley a fortnight to remove his goods out of the premises, and then he would give the house up to me—there was a bedstead and a mattress there, which Mr. Miers said belonged to him—I do not know whether there was any stock—there was stock, but after I put the execution in, Mr. Miers hoped I would not take the boxes, which were in the back-room, second floor, on the bedstead, as he said they were his property—I saw those boxes—I think there must have been about ten or a dozen, at least—I should consider they were such as contain lace and ribbons in a haberdasher's shop—I seemed to acquiesce in his proposal of giving Midgley a fortnight, till I got out of doors; and having been served a dirty trick by another tenant, and having received a letter, I thought it best to put in an execution—it was in consequence of information which I received that I put in the distress—after that, I was there with the broker, and saw Mr. Miers, and he wanted me to take 3*l.* at first, then 4*l.*, and 5*l.*, to withdraw the execution—to take that in cash, instead of the eight weeks' rent—I said I did not want to put them to distress, and if they would pay me 5*l.* I would withdraw the distress, and let them pay the rest when they could—Mr. Miers said he would see and get the 5*l.*, and Midgley and he both went out together, to endeavour to raise the money, but they came back and said they could not succeed—he said he hoped I would not enforce the distress-warrant, and proposed to give me a cheque on Mrs. Miers, his wife, for the 5*l.*—I knew that she was his wife—I did not accept his proposal—I said that he had unmasked himself, and I should let the broker proceed—I said nothing more, but left the broker in to do his duty—they left the house, and I got possession, but not for some time—they gave me a deal of trouble—he gave the house up on the 15th of July—he left before that, I believe—I had received no rent before I put the distress in—it must have been in July that I put in the distress.

Cross-examined by MR. PHILLIPS. *Q.* Were you offered any fixtures in lieu of rent? *A.* No—I was offered them in lieu of a £20 bill, which Midgley gave me, but he took away some of my fixtures—it was a shop-door, which he promised to replace, but never did—I was not examined at the police-office.

THOMAS WINKWORTH. I am a carrier, between London and Isleworth. I know a linendraper's shop at Isleworth, kept by a person named Mrs. York—the name of "A. York" was on the door—I have chiefly seen one female in that shop—I do not know her name—I knew Mr. Miers's shop, in High-street—I have taken parcels from his shop to the shop at Isleworth, but seldom—I have nothing booked about it, as I was always paid for my labour as I delivered my parcels—the first time I took any, I think, was in the summer-time, and the last time, as near as I can say, about three or

four months ago, but I cannot say, for I paid no attention to it at all—it was some time before Christmas, now I call it to mind—it was most likely longer, but I never paid any attention to it—it is unknown to me how many parcels I took from one place to the other, as I never booked a parcel—it might be ten, or a dozen, or fifteen parcels—some of them were wrapped in paper, and some in canvas—they were various sizes—some were less than that box, and some might be five or six times larger—the female at Isleworth paid me—it was mostly a female, about thirty years of age, that I saw at Isleworth—I did not always go myself to the shop in High-street for the parcels—I generally sent my lad for them—when I did go, I saw one man in the shop, and a boy; and at one time, a female, or there might be two females—I still go backwards and forwards to Isleworth—the linendraper's shop there was kept open but a very little while after I ceased carrying the parcels.

Cross-examined by Mr. Phillips. *Q.* Were you before the Magistrate? *A.* No.

Charles Bischoff. I am a solicitor, carrying on business in Copthall-court. I am the proprietor of the house, No. 30, Surrey-place, Old Kent-road—in November last I let that house to the prisoner—I do not believe he occupied it—a Mrs. Clark occupied the house, and her name was over the door at Christmas—I do not know Mrs. York.

Elizabeth Paul. In November last I lived at No. 29, Surrey-place, Old Kent-road—Mr. Miers came to occupy the next house, No. 30, and the shop was opened as a linen draper's—before it was opened I saw some furniture come—I think that was about the beginning of December, but I cannot speak to dates—I saw a cart of household furniture, and the shop goods together—they were goods that are sold in linen drapers' shops—I saw some boxes in which ribbons and laces are kept—I think it was in the early part of December that the shop was opened—on the morning of the day it was opened, I observed a coach stop at the door, and Mr. Miers get out of it—he handed out a female, and in the coach was a number of boxes and trunks which were handed out, and a carpet bag—I do not know who the female was—she went into the house with Mr. Miers, I believe—I cannot say how many boxes there were—there might be three, or four, or five, I cannot say—I saw the prisoner in the shop a few days after it was opened—I cannot say whether he was there every day—I saw him there as much as three times—it was in the evening that I saw him—the shop was closed in the early part of February—I cannot tell the day it was closed—I was from home that week with my daughter who was sick—I have a daughter who can speak to the fact—I observed the shop closed when I came back—I think it was on a Thursday that I returned and saw it closed—it did not open again that I recollect, until very lately, quite at the end of February, I think—there were then bills in the window stating that the stock was to be sold off on the Monday following—it was open on the 1st or 2nd of March, and two or three days before that, quite at the latter end of February—on the day I saw the bills in the window, stating that the stock was to be sold off, I observed the shop partly open—the shutters were down—there seemed to be a stock in the shop in a confused state—I saw carts and a coach arrive, I think on the 2nd of March—that was not the day the stock was to be sold, but before—there were five small carts and a coach—I saw them go away full of linen drapery—it was the stock of the shop which was taken away

—they drove up to the shop—I saw the linen drapery put in—I did not s Mr. Miers there—I had frequently observed coaches coming before that—cannot state whether any thing was taken away—yes, once I saw a coa go away with trunks, and a carpet bag, similar to the trunks I saw arrive—that was some time before the 2nd of March—I saw the coach take awa stock similar to that I had seen arrive in the coach with a female and M Miers—trunks and a carpet bag—I did not see Miers when the coach too away those goods—a respectably-dressed man was with the coach—he g in after the coach was loaded.

Cross-examined by MR. PHILLIPS. *Q.* You were not before the Ma gistrate either, I believe? *A.* No.

MARY PAUL. I am the daughter of the last witness, and live nex door to the shop which was opened in Surrey-road. I remember seein the prisoner there—about ten o'clock one day, about the middle of Decem ber, I saw Mr. Miers arrive with a female—I do not know who she was—some boxes, some trunks, and a carpet bag were brought into the house—the shop opened the same morning about two hours after he had arrived—I saw him there several times after that—I have seen him in the middle of the day, and several times in the evening—the shop closed on a Monday, the 5th of February—it was not open at all that day—in the evening of that day I saw a *cab* at the door, and there were boxes and parcels inside the *cab*—I did not observe any trunks that day—the week following a hackney coach was at the door, and seemingly the same trunks, and boxes, and carpet bag went away—about the middle of February a van came to the house, and took away some household goods—I did not perceive any thing else taken away—on the 2nd of March there were five carts came in the evening—they were loaded at the door of the house with the stock of the shop, which was taken away.

Cross-examined by MR. PHILLIPS. *Q.* Were you before the Magistrate? *A.* No.

THOMAS BROOKS. I am a linen-draper, carrying on business in Southwark. On the 22nd or 23rd of February I heard of the sale of a linen-draper's stock, at No. 30, Surrey-place, Old Kent-road—in consequence of what I heard I went, on the 23rd of February, to Queen-street, Cheapside, and from there went with Mr. Jervis to No. 30, Surrey-place, Old Kent-road—I effected a purchase there of him of some linen-draper's stock—there were shop marks on those goods—I told Mr. Toplis what those shop marks were, and they corresponded with those which Mr. Toplis had—I bought the stock in the lump, and afterwards disposed of it—among the articles there were a great quantity of satin ribbons—Mr. Jervis did not take down the quantities—it was taken by eye-sight—Mr. Weston took down the particulars—Mr. Jervis went away, and left us there—I paid for the stock—I gave Mr. Weston a cheque for £350 to give to Mr. Jervis—I afterwards disposed of the stock to Messrs. Warren—the stock of ribbons at the Surrey-road bore an extravagant proportion to the rest of the goods—about a fortnight ago I effected another purchase with Mr. Jervis of some shawls—those shawls bore the same shop mark which the other stock had borne—that purchase was effected by my partner at Mr. Jervis's office, in Queen-street, Cheapside—we gave 40*l.* for shawls and other things.

Cross-examined by MR. PHILLIPS. *Q.* Pray how many interviews had you altogether with Mr. Jervis? *A.* Three, I think—I required from him

explanation respecting the stock—the first time I saw Mr. Jervis I asked if it was a legitimate sale, if I should be safe in making the purchase—said yes, he would explain to me exactly how the case stood—he told they were goods belonging to Mr. Miers, (there was no disguise about whose house had been burnt down in High-street, Marylebone; that y were made over to his brother in part payment of a debt due to him the prisoner—knowing Mr. Jervis to be a respectable man, I thought I uld run no risk in making the purchase.

Q. Did he tell you whether any of the goods, to the amount of 40*l.*, had n taken out of pawn? *A.* I never heard it—the second purchase was le by my partner—I was not present—that was the shawls—all I can is, the shawls came to my shop, and I gave a cheque for them—we live he Borough—I have seen Mr. Weston here to-day.

Mr. Clarkson. Q. Mr. Jervis told you these were a transfer from the oner to his brother, did he produce any document, or merely give you word for it? *A.* He gave me his word for it—I found the goods in rey-place—that was not the brother's house, at least I was given to untand not.

John Bartlett. I am an auctioneer. In May, or June last, I received e articles for sale from Midgley—among those articles was a carpet—I that, and paid the money to Midgley—I had other articles for sale bes the carpet, there was household furniture and other goods—this paper list of the goods that were for sale—I made it out this morning—I have catalogue—a few days after the carpet was sold, the prisoner Miers ed on me—he did not have any conversation with me then—he called n, and demanded the money for the carpet—I told him I had paid gley for it, and showed him Midgley's receipt—I had received of the other goods from Mr. Miers, and part from Midgley—part were vered by Mr. Miers himself—I went to his house in High-street for e, and part of them he delivered himself in a *cab*—some of the goods n about to read came from No. 65, Crawford-street—(*reading*) onsisting of a roller-blind, ladder, mahogany wash-stand, two e boilers, two tin covers, two wash-stands, sundry forms, three coffeee settles, rods and curtains, three mahogany tap tables, pictures, scot chest of drawers, two coffee-house tables, two mahogany dining-s, boxes and partitions, a stump bedstead, blankets, feather bed and er, counterpane, pair of sheets, a napkin, six shawls, three s of Irish linen, and two carpet bags—the principal part of e things were sold on the 1st of August, 1837—they were sold uction—when Miers called for the money for the carpet, he said arpet belonged to him, and I should not have paid Midgley—I sold goods on commission for Mr. Green, to whom the auction-room bed—Mr. Miers brought a letter from Midgley to say the goods belonged m, authorising Mr. Green to pay him, not only for the goods which from High-street, but also from Crawford-street—Mr. Green received oney as clerk of the sale, and having received the money from Mr. n in part of the sale, I paid the prisoner part, but I do not think he received the balance—I paid it in consequence of a communication to me from Midgley, through the prisoner—while the goods were in rogress of being sold, Mr. Miers called at my house several times—he ded one sale, and bought goods.

after this at his shop in High-street—the shop windows had o
that time to dispose of the stock—I did not speak to him i
I did not go in—I saw him in the shop putting some article
dow, and there were some bills stuck up about the stock selling
effect—I really cannot say when that was—I cannot say how so
the conversation about disposing of the soiled stock.

Cross-examined by Mr. Phillips. *Q.* Is it not a very com
London for linen-drapers, as well as others, to put up bills ab
of their stock at an enormous sacrifice, to induce customers to
have heard of such things—it is very common—I believe th
may have bills of that kind up for years together—I was n
Magistrate.

Mr. Clarkson. *Q.* Was any thing known of you at all, t
last four or five days? *A.* Not till yesterday morning, when I

Mr. Phillips. *Q.* Were these three pieces of Irish linen, w
for Mr. Miers, sold at a loss? *A.* I do not know what he p

Q. Did he not refuse, in consequence of what they were s
you have any more, and take away the shawls and carpet bag?
the carpet bag and five shawls away.

Mr. Clarkson. *Q.* Was it after that, he told you of hi
selling off his stock? *A.* Yes.

Frederick Futvoy. I am the agent of the London Par
Company—my place of business is in High-street, Marylebon
the 19th of January last, I received a parcel from Mr. Mie
book, in which we make our memoranda—it was directed to
No. 8, Ingram-court, Fenchurch-street—I remember hearing
High-street—this was the day before the fire—the size of the
best of my recollection, was fifteen or sixteen inches square-
collect the weight—after the parcel had been delivered to m
I always understood to be Miers, and believe to be the prison
to open it to put something else in—I cannot say whether it

MR. KELLY. *Q.* Have you looked at the prisoner? *A.* Yes—I believe it was him.

CHARLES DAVIS. I live in Great Marylebone-street, and am an agent to the London Parcels' Delivery Company. On the 26th of December I received a parcel addressed to Mrs. Clark, in the Old Kent-road—I have not the slightest recollection who brought it—I also received a parcel on the 1st of January—I have no knowledge whatever who brought it.

Cross-examined by MR. BALLANTINE. *Q.* Is this your first appearance in this case? *A.* Yes.

GEORGE BONE. I live in Crawford-street, and am an agent to the Parcels' Delivery Company. I do not know the prisoner—I never saw him before that I know of—I do not know who the parcels came from which I received.

GEORGE GALLOWAY. I live at No. 7, Bowling-street. I knew the lad who was employed by the prisoner—I was agent for the London Parcels' Delivery Company—on the 28th of October, and from that time to the 6th of January, I received parcels, which were brought by a lad in the prisoner's employ—I received nine parcels from the lad, and one from the servant maid—they were directed to Mrs. Miers, 34, Whitechapel-road—the last parcel came on the 6th of January, and went away on the 7th—they were brown paper parcels, I should judge from a foot to eighteen inches long, nearly square—the first parcel I weighed was under 7lb., and the other parcels averaged about that weight—they felt similar to shawls or linen—it was something soft, such as shawls or linen, as far as I can describe.

ALEXANDER WATKINS. I am a surgeon. I knew the shop of Mr. Miers, in High-street, Marylebone—about ten days or a fortnight before the fire I had occasion to make a purchase there—the principal part of the stock I observed was woollen goods, shawls and comforters—the shop appeared to be very scantily supplied, I should say, from its first commencement—I had been in the habit of passing it eight or ten times a day, and from the beginning it appeared to be scantily supplied—I passed it several times the very day the fire happened—I should say the stock had diminished at that time—it was very ill supplied during the last month—on the day of the fire I noticed a great many shawls hung up in the window—they were common woollen shawls, and also some calico—that was the nature of the things I saw in passing the shop—the goods I have seen there for the last month I should say were very common goods.

Cross-examined by MR. PHILLIPS. *Q.* Are you in the habit of prying into different shops to see if they increase or diminish? *A.* I am constantly in the habit of seeing goods in shops by going into them, a person cannot help noticing—I am not constantly in the habit of looking into shops, but that shop I noticed particularly—I was not before the Magistrate—there were principally woollen goods in the shop, and some of those red comforters—I have seen some caps hanging up—I did not on any one day observe a diminution, but in the course of the week I certainly did—I do not remember observing any lace hanging up—I cannot say whether there was any Irish linen or not—some of the shelves appeared to have parcels, what was in them I cannot say—Irish linens are generally done up in large blue paper parcels—I did not observe any of those in the shop—if there was any, my inspection was not minute enough to see them—if any were put up like "dummies" I did not see them—I could not see into the drawers to see if there was lace in them—it was in the winter season that I saw the shawls

since I made the first purchase—the cotton was the first thing I
I cannot tell how long ago that is—I bought the comforter about a
before the fire—I was talking to both Mr. and Mrs. Miers at the ti
not know which of the two served me—they were both serving in th
do not know whether there was a boy serving—I am sure I do not
whether any other person was in the shop or not—I cannot sa
particular day—I have seen a boy in the shop—I did not notice
there was a boy there that day—one customer came into the sho
was there—I do not know who served him, but I think it was M
—I was engaged in conversation with Mr. Miers, and did not obs
that customer was buying—I do not recollect having been to
oftener than I have stated—I cannot say whether there
Irish linen there—I did not notice whether there was any
there might have been fifty pieces there without my observing th

Mr. Kelly. *Q.* You speak of having been three times in t
were your observations such as you made in passing, as to what w
window? *A.* Decidedly in the window—the goods, as far as I
were generally of an inferior description.

Agnes Crawford. I live in Great Marylebone-street. I r
the fire happening at Mr. Miers's—the day before that I went to
for a pair of black worsted stockings—I was shown two pairs—
not suit me—they were very coarse—I asked for finer, and said
not mind giving 1*s.* 8*d.*—Mrs. Miers served me, and she said the
others—I thought the shop was very thinly stocked, very badly
indeed, which has been my opinion in general, lately—I noticed th
had a very scanty appearance indeed—one window of the shop l
Bowling-street—I observed some stays there, which I thought re
cheap—I observed nothing else at that time—I cannot say whether t
any shawls there—the stays attracted my attention more than any

Cross-examined by Mr. Phillips. *Q.* Perhaps you wanted st
At that time I did, and they attracted my attention—I cannot tell

good as I have on now—there was some common edging hanging up—I cannot undertake to say there was no lace—there were some small drawers in the shop, but I did not notice them—I went there each of the three times to buy—the first time I went for some white satin ribbon, but they had not any to suit me—they had some ribbons, and offered to get me some—it has repeatedly happened that I could not be suited in shops—it is a common thing with respectable shopkeepers to offer to get a thing if they have not got it by them—stockings at 1*s*. 8d. are rather fine—in the summer I went to buy white cotton stockings—they were for the servant-girl—I did not wish to buy any thing for myself there—there were four or five pairs of stays in the window, which I thought very cheap—I did not bargain for them—I had not the money with me to buy them.

Maria Emmerson. I live with Mr. Higgins, who keeps a coffee-shop, at No. 13, John-street, Oxford-street. I know the prisoner at the bar—on Friday, the 19th of January, he came to the coffee-shop, about nine o'clock in the evening, and brought two parcels—he asked me to take care of them, and said he would call for them in a few days—they were two brown paper parcels—one was rather large, and the other small—they were larger than that box—one was rather more than twice as large, and the other was not so large, but the smallest was larger than that box—he asked me to take care of them, and said he would call for them in a few days—I afterwards made a mark on them when the Inspector came—the prisoner called again a few days after—two or three days after—it was after the Sunday, about seven or eight o'clock in the evening—I cannot say exactly the time—it was after dark—the gas was lighted—he asked me if I had taken care of the parcels—I told him yes—he said he could not take them then; he would take them another time—that was all he said—I had never seen him before he came the first time with the parcels—the police-officers called on a Friday after, and took the parcels away—it was a month from the day the prisoner brought them that they were taken away—it was on the Friday month after he brought them.

Court. *Q*. Then he never called again? *A*. No—I never saw him since.

Mr. Clarkson. *Q*. Are you acquainted with any person named Midgley? *A*. No; I know nothing of him—there was no such person in the habit of frequenting master's house—I do not know the gentleman if I see him—no person of that name was in the habit of leaving or receiving parcels at our house—they were the two first that I had taken in—(*the parcels were here produced*)—that is one—the paper of the other has been turned, I think—yes, that is the other parcel.

Cross-examined by Mr. Phillips. *Q*. How do you know the parcels? *A*. Because I marked them—that parcel has been undone, and the paper turned—I did not give any other parcels than these to Campbell or Dyer—this is the mark I made—I cannot write—they told me to put any thing I liked on it—they are the parcels, both of them—I am quite sure these are the marks I made on them—I never saw the prisoner only once when he brought the parcels, and once after—it was nine o'clock in the evening when he brought them—he remained but a very few minutes then—he had his tea when he came the second time, and went out again directly—ours is a shop of a great deal of business—we have a great many customers, but I do not very often see different faces—we have regular customers—a great many—that is the gentleman that brought the parcels to me—when he came with the parcels he had a cloak on, and when he came after them he had

people between the time of the fire and my going before the Ma
they came after me—master sent for Inspector Campbell, anc
me about it when he took the parcels—I had no conversation
between the time of his taking the parcels and my going befor
gistrate.

Q. Did you give your evidence to Mr. Rickards, the attorney,
to the fire-office? *A.* He was at Marylebone—I told him at M
—I told the Magistrate there—I did not go to any house before
evidence has not been taken by anybody except the Magistrat
had no conversation with any of the fire-office people about it—I
from John-street, Oxford-street, now—I do not know a person o
of Midgley—I know pretty well all the names of my master's
and there is never such a person comes there—we have about thi
customers, and about thirty irregular ones—I do not exactly
their names, but I know them by sight—there may be persons kn
master and mistress and not to me.

Mr. Clarkson. *Q.* When the prisoner called at your hous
left the parcels, did he at that time tell you his house had been b
or that he had had a fire, or any thing of the kind? *A.* No, he

William Whitewick. I am in partnership with Mr. Broo
Borough. About a fortnight back, I made a purchase of some
Mr. Jervis, the attorney for the prisoner—Mr. Brooks gave a
them to Mr. Weston—Mr. Weston came to our house, and I
him to Mr. Jervis's office—I paid 40*l.* for the shawls—they are
shawls my partner afterwards saw in our establishment, be
marks.

Cross-examined by Mr. Phillips. *Q.* Did you inquire of
or Mr. Weston where the property came from? *A.* No, Mr.
me they were taken out of pawn—that was a voluntary com
from himself—I did not make any inquiry about them, in c

· her mother—I went into the shop, and there saw the pri-
ner and the two parcels—we had at that time a bill in our
ndow for lodgings to let—the prisoner asked if I had a room to let
n—I told him I had not got a room, I had part of a bed, but I could
t exactly say when it would be at liberty—I told him I could not
ve him an answer then, on account of a gentleman's servant, who was in
ew of a situation, and I could not say exactly when it would be at
erty—he then said he would come in again and take tea, and he went away
he said he had no objection to part of a bed, as I had not got a room—he
d given the parcels to my little girl to take care of—he said so to me—
y little girl had taken them into the parlour—I did not see the parcels
fore he left—yes, I saw them in my little girl's hand as I was coming
o the shop—I took care of those parcels till they were afterwards de-
ered to the policeman—I delivered them myself to Sergeant Dyer—they
nained in my possession till I delivered them to him—he and Mr. Camp-
ll were both together—(*looking at two parcels produced*)—that is one of
e first parcels—I do not know the other, but it is one of the six—the pri-
ner did not come back to tea—I was not present, about eleven o'clock
e same night, when any other parcels were delivered—I was present on
onday, the 22nd of January, when two other parcels were delivered by the
soner—before he came on the Monday, two more parcels had been left,
t I did not see the prisoner till he came on the Monday—I saw him then
I was in the bar—he came into the shop, and sat down on the first seat
he asked me again about the lodgings—this was about ten minutes to five
lock—he asked me what time it was, and I told him—he asked if I could
commodate him with a lodging—I told him I could not give him any
swer then—he said he did not want the lodging that night—that he was
ing to the play, and should sleep at a friend's house in the City—he said
would look in again to-morrow—he brought two parcels with him that
onday afternoon—that wrapped in the newspaper is one of them—I can-
t tell which is the other—those two were part of the six which were
erwards delivered to Dyer—when he brought these other parcels, he
d there were two more parcels he wanted to leave—I do not remember
king any answer—I took them, and put them with the others—he did
t say any thing then as to his house having been burnt—he did not tell
who he was, or why he wanted lodgings—he went away, saying he would
ne next day, but he did not come, and I did not see or hear of him again
Saturday, the 3rd of February, which was nearly a fortnight after—I had
heard of the fire in the meantime, but I had had some communication
th Dyer, the police-sergeant, and Mr. Campbell, the inspector, and had
own them the parcels—the prisoner came on the evening of Saturday, the
l of February, and took a cup of tea and sat an hour—he then asked for
—I went to him, and he asked me about a lodging again—I told him he
ld have a lodging, and he said he would take it from the following night
unday)—I said he could have it, and he said he would come on the Sunday
ght—he then said he wanted to take the parcels away to the coach-office, as
was going into the country on Monday—we told him we could not allow
n to take the parcels away, for as he had left them so long, we had com-
unicated it to the police, and we thought it was not all right—my hus-
nd was there, and I think me and my husband both told him that—it was
e first mention that had been made of the police—he said the property was
s own, and he would satisfy my husband if he would go with him to

office-- they were never taken away from our house till we were
Marylebone office, which was on the 12th or the 13th of Febru
not know any thing of a person named Midgley—he had never b
habit of using our house for receiving or leaving parcels, that I l
there was no one in particular for whom we had been in the ha
ceiving parcels—I do not to this moment know anybody of the
Midgley.

Cross-examined by Mr. Payne. *Q.* You say he did not tel
name; did you ask for his name? *A.* I did not, nor did my h
my presence- I did not ask him where he lived, or make any i
him as to who or what he was, nor did my husband in my prese
not ask him the name of his friend in the Edgware-road, or th
of the house—we did not make any inquiry about who the per
the Edgware-road—my little girl is about nine years old—she i
—our shop is near Oxford market—there are several other coffe
the neighbourhood and near Oxford market—I have not been ex
anybody belonging to the Fire-office—I have not been to Mr.
office—my evidence has not been taken down by any one on
the Fire-office that I know of—I have had no conversation with an
nected with the Fire-office, no more than Mr. Toplis called—I ca
lect when it was he called—I cannot tell the day of the month or
did not have any tea and toast—I had not heard of the fire at th
should think it was about a week after the last of the parcels ha
at my house that Mr. Toplis called—I should think he remai
house two hours—Mr. Campbell, Sergeant Dyer, my husband,
were present—Mr. Toplis did not put any questions to me or to m
—he looked at what was in the parcels—he was two hours exa
parcels—he talked to Mr. Campbell—I do not recollect his ask
my husband any questions—no one besides Mr. Toplis came
the Fire-office--our house is three doors from Castle-street, Oxfo

give him any answer whether he could have a lodging there—I told him I could not then give him an answer—he said he would look in again to-morrow, that he had a friend waiting outside, and it did not signify, and he went away—I cannot tell which are the two parcels he delivered to me, I do not know them, but the two he left that night are two of the six which were afterwards delivered to the police—I did not see him any more till the 3rd of February—he took something at our house that night, but I am not certain what—after sitting there a great while, (nearly an hour, I should think,) he said he had left some parcels some time ago, and asked again if he could have a lodging—I told him I would speak to my wife—(he did not say any thing then about having had a fire, or his house being burnt down—nor did he, when he came on the 20th of January, tell me who he was or where he lived)—I went and fetched my wife, and we let him the lodging—he was to sleep with a young man, and pay 3*s*. a week—he agreed to that, and he was to come on the Tuesday following—he then wanted to take the parcels away to take them to a coach-office, and said he was going into the country—he said, previous to that, that he had been in the country—I told him, in consequence of his leaving the parcels and not calling, I had mentioned it to the police, and could not give up the parcels till I went to the police-office again—I had, in consequence of suspicions I entertained, informed the police of the circumstance—when I told him I had done so, he wished me to call a coach, and go with him to a friend in Edgware-road, and that would convince me the parcels were his—I refused to go, and told him I must acquaint the police of it before I could give them up—he said he would go away and bring his friend, and went away—in the meantime I went to the police-office—he never returned with his friend—he never gave any intimation, when he called on the 3rd of February, of having had a fire in his house, or any thing having happened to him at all.

Cross-examined by Mr. Payne. *Q*. You say he did not mention his name; did you ask his name? *A*. No—I asked him no question to ascertain who or what he was—not from beginning to end—my wife was present when the agreement was made for the lodging—Edgware road is, I suppose, about a mile from my house—it would take perhaps half an hour to go there and back in a coach—his proposal was, that I should go with him to his friend, and the parcels should remain at my house till we came back—that was what I understood.

Q. Pray, have you seen Mr. Toplis? *A*. I have—he has been to my house—I have only seen him there once, that was about a fortnight after the Monday on which the prisoner had called, and I believe it was the day before Saturday, the 3rd of February, when the prisoner last called—Campbell and Dyer were with Mr. Toplis when he came—my wife was there—I do not know that anybody else was there except the servant, and she was not in the room—he was in the parlour looking the parcels over—he was there perhaps an hour or an hour and a half—he did not say a word about the fire—he did not tell me who he was—I do not recollect that he asked me any questions—not to my knowledge—he might ask me a question, certainly, but perhaps not relative to this—he did not ask me any thing about the fire—he did not say he came from the Fire-office—he was looking over the parcels, and taking notes—he might be there two hours—he was occupied all that time in looking over the parcels and taking notes—I was bound over to appear here.

James Dyer (*police-serycant E* 2.) In consequence of information

time the prisoner came out of the house—I was not in the hou
was apprehended—I had been out of the house I should say a
might have been in the house about twenty-five minutes or rath
Campbell was with me there—we were both waiting in a roo
consequence of a communication.

Q. Did you know that Mr. Miers was coming there to exp
counts to Mr. Toplis, and were you not there to take him in
when he came? *A.* We had no directions to do so—we wer
was coming to attest his claim—we were not placed there on
take him into custody when he did come—there was a com
from Mr. Toplis to inspector Campbell that he was coming the
his claim, but it was on our own responsibility we took him in
—Mr. Toplis allowed us to wait in his house about twenty-five

Q. How came you to go out again, why not stop? *A.* I w
my own will, and afterwards took him in the street—I saw hin
of Mr. Toplis's house—I touched him on the shoulder, and t
wanted to speak with him I said no more at that time be
Campbell was present and entered into conversation with him—
bell stepped up to him immediately, and said, "Mr. Miers, I wis
to you concerning some parcels left at a coffee-shop in Great
street"—the prisoner said, "What parcels?"—Mr. Campbell s
don't mean to say you did not leave them?"—the prisoner said, "
were some parcels left"—Mr. Campbell said, "Yes, and by yo
said yes, but they were not his property, they were a friend's of h
directed him to leave them there—Mr. Campbell then inquir
whether they had been called for previously by Mr. Midgley—he
Midgley as the friend—before that Campbell had cautioned
answering questions—Mr. Campbell was dressed in a green co
uniform, and I was in plain clothes—I had a drab great coat o
of us had the appearance of officers, but Mr. Campbell represen
as an inspector after he spoke to him relative to the inquiry—
after he said it was not his property, but the property of a frie
swear it was not after that—he said, "You don't know me, I
spector of police, and if you are not satisfied I will show you m
—those were his words.

Q. At what part of the conversation will you venture to swe
place? *A.* Directly after Mr. Campbell had represented that h
speak to him concerning the parcels left at Great Titchfield-
before he had made an answer to it—he had made his answ
"There were parcels left"—Mr. Campbell said, "Yes, and by

said, "Yes," and then Mr. Campbell said, he was an inspector of Police, and he must consider himself in our custody—the conversation occurred after he was taken into custody—I believe there is no mistake about that—I did not tell him he was in our custody when I first tapped him on the shoulder—my superior officer being present, I left it to him—we did not want to make him believe we were private persons—I was acting under the directions of my superior officer—after Mr. Campbell told him he was an Inspector, he represented then that they were not his parcels but the property of one Midgley, and that it was by his desire he left them—and he said "where parcels had been left previously"—I have no recollection of any other conversation taking place—I took him to the station-house—I and Mr. Campbell went with him—that is all I recollect passing.

Sampson Darkin Campbell. I am an inspector of Police. In consequence of information I received, I went to Wood's Coffee-shop, in Titchfield-street—I there saw the six parcels—these are them now on the table—I examined their contents on the 24th of January—they have since been seen by Mr. Bailey, of St. Paul's-churchyard—I also got two parcels from Emmerson, at Higgins's coffee-shop—these are the two—they are Nos. 1 and 2 E—I have a list of the articles in the parcels.

(*It was here admitted by the prisoner's counsel, that the aggregate value of the whole parcels was* 63*l.*—*The parcels being inspected, No.* 1, *from Wood's, was stated to contain shawls, silk handkerchiefs, and other articles of trade, valued at* 11*l.* 18*s.* 3*d.*—*No.* 2, *ribbons, &c., valued at* 8*l.* 0*s.* 5½*d.*—*No.* 3, *child-bed-linen, coral, and bells, valued at* 3*l.* 16*s.*—*No.* 4, *shawls, pieces of merino, and cambric, valued at* 6*l.* 6*s.* 11½*d.*—*No.* 5, *twenty-nine squares of fine diaper napkins, marked "M," and numbered, valued at* 2*l.* 18*s.*—*No.* 6, *stockings, edgings, and other things, valued at* 5*l.* 14*s.* 8*d.*—*Parcel No.* 1, *E., at Higgins's, sheeting, gloves, &c., valued at* 11*l.* 0*s.* 4½*d.*, *and No.* 2, *E., caps, laces, veils, and shawls, valued at* 13*l.* 5*s.* 1*d.*)

Sampson Darkin Campbell (*continued.*) In parcel No. 3, there is a silver coral and bells; also a bible and prayer-book, which are new, and very handsomely bound—there is no name in them—this is the coral.

Q. When did you first obtain information about any of these parcels? *A.* On the night of Monday, the 22nd of January, about half-past eleven o'clock—that relates to the first six—I had not heard of the fire at that time—I read an account of the fire in the newspaper, while I was waiting for the person I supposed would call for the parcels at the coffee-shop—I think that was on the Tuesday, the following day—in consequence of suspicions we had of the person who had left the parcels, I and Dyer were on the look-out for him several days—we were there till about two o'clock on the Wednesday, and then, as nobody came, were determined to open them.

Q. I want to know whether you merely went and apprehended the prisoner on the 12th, on information you then received, or whether you were, on your own account, on the look-out for him, for several days before? *A.* Yes—we were on the look-out for him from the 22nd of January, when we learnt that the parcels were left, until the 12th of February—I was Dyer's superior officer—he acted under my authority—I did not apprehend the prisoner from any instructions from the Insurance Company—having made a report to the Commissioners of Police, I acted under their orders—when I afterwards learnt that the prisoner was to be at Mr. Toplis's, or

they should be left there, under the circumstances they were, a
"You don't know me, I suppose?—I am an inspector of Poli
looked rather sharply round, and I said, "If you have any doub
show you my uniform"—I had a great coat, buttoned, and proce
unbutton it—he said, "Oh, I will take your word"—I said, "Y
consider yourself in my custody"—he said, "Oh, indeed"—Mr. C
a gentleman who had been with him at Mr. Toplis's, was with h
and some conversation took place between the prisoner and Mr. C
relative to letting a friend of his, named Jervis, know—he g
Campion his direction, and Mr. Campion left—we then crossed ov
other side—I said it was a very unpleasant business, I trusted he w
able to explain it—he said the things were left by him by the dire
a person named Midgley, who had directed him to the coffee-shop
had things left there before—I asked him if he knew where Mid
—he said no, he did not know, he believed he was in confinement
where, but he did not know where—I said, "Don't you know
Whitecross-street prison?"—he said, "Very likely he is, I don
that he is; but I hoped that he had got out before now"—I said, "
know whether any application has been made on the part of Mi
the parcels, since they were left?"—he said, "Not that I know o
not aware"—I then asked him if he knew whether the parcels h
fetched away—he said, "If they had been taken away, you would
come after me."

Q. Did you say any thing to him in this part of the conversatio
not answering any thing unless he thought proper? A. I thin
after saying it was an unpleasant business, I said, "Mind, I do
to elicit any thing from you likely to injure you; I will ask a que
two, do not answer if you think it likely to injure you"—I then as
if he had made any application himself about the things—he sa
had not—I asked him, "Have you never been, then, to the coffee-s
I asked him if he knew of any application being made for them—

mind"—I asked him whether the servant who lived with him at the time of the fire was still in his service—he said, "Yes"—I said, "Is she at Fenchurch-street?"—he said, "Yes, she is there with my wife"—I meant at Ingram-court—I expressed my regret at apprehending him at that time of night—he said, "Oh you could have had me at any time if you had chosen" —I said, "That is not so; you have not been home to your lodging in Ingram-court since Saturday week"—he made no answer to that—I believe that was the conclusion of the conversation—we had then got to the station-house—he said nothing that night as to whether he should say any thing more to me or not.

Cross-examined by Mr. Payne. *Q.* Pray at what part of the conversation was it you gave him the caution not to tell you any thing unless he pleased? *A.* I think it followed my saying it was an unpleasant business, and I trusted he would be able to explain it—it was not after I had asked him about Midgley, that I swear—I told him I was an inspector, after my asking him whether he had not left the parcels—it was after he told me they were not his property, but the property of a friend—it was then I told him who I was—after I told him who I was, there was no conversation between him and me until we crossed over to the other side, after Mr. Campion had parted from him—I would not venture to swear that he called Mr. Jervis his friend, or whether he merely gave Mr. Campion the direction of Mr. Jervis—I will not swear that he said his friend—he did not mention the word "attorney" at all.

Q. Did he not seem very much surprised after having a conversation with you in plain clothes, to find you were an officer, and took him into custody? *A.* He certainly was surprised—he said, "Oh, indeed"—he did not say it was a trap laid on the part of the office.

Q. From whom did you get the information that he was coming to Mr. Toplis? *A.* I received the information from Mr. Toplis, in answer to an application made by me—I was in one of his rooms for half an hour—Sarah Davis was examined as a witness before the Magistrate, and she is here—Mr. Rickards attended before the Magistrate on the morning the first investigation took place, but after it had been gone into to some extent—Mr. Rickards wished it put off until one o'clock, but the Magistrate would not consent—I was at the police-office when Mr. Rickards was there.

Q. Did Mr. Rickards say to the Magistrate that the Fire-office did not think they could press the detention of Mr. Miers, as he had refused to sign the draft claim which had been first furnished? *A.* He did not give that as a reason—I understood the reason given by him was, that the Office was not prepared to prosecute in the present situation or state of the case.

Q. Have a care; I have a person here who heard it; was it not that the Fire-office did not think they could press his detention, as the draft claim was not signed, and the fraud was not completed? *A.* I did not hear that, but I heard Mr. Rickards say, when he first came into the office, that the Office were not prepared to prosecute in the present state of things—he did not say they were not prepared to press for his detention—I did not hear that—four or five witnesses had been examined at that time—I had been examined, Dyer had not—the Woods had—I do not think Mr. Campion was examined till the second examination—I did not hear Mr. Rickards say that they did not think they could press for the prisoner's detention.

Mr. Kelly. *Q.* How many persons were before the Magistrate alto-

mistress were sitting together at supper—he was complaining to
of the badness of trade, and wished there was a train in the h
think that was about two months before I left the service—I he
complain once or twice of the badness of his business; and his
particular used to tell me how bad business was.

Q. While you were in the service do you remember parcels c
being sent any where? *A.* Yes, they were always directed to Mis
at Isleworth—I have seen Mrs. York in High-street—they are the
and sister of Mrs. Miers.

Cross-examined by Mr. James. *Q.* You live now with Mrs. Sar
Yes—I have been there seven weeks on Thursday—Mr. Miers ref
give me a character on account of the breakages, and the state I
house in—that was all he said—I told him mistress had promis
character the last night I was with her, and I should send to him fo
that was every thing that was said—that was when I asked for a
ter—I had never been charged with any dishonesty while I was the
about a pair of stockings—there was a mistake about that—th
given to me to mend, and mistress went into a passion one Sunday
I had not taken them up—they were legs of stockings to join to th
because I had not taken them up in time, she said I wished to kee
—mistress made the mistake—I did not put them on, nor wear
they were found in the kitchen drawer—that was not mentione
when I asked about the character—there was no mistake about an
sleeves—nothing occurred about any gown sleeves while I was t
lived with Mr. Reeves, of North-street, before I went to Mr. Mier
Sands, my present employer, took me without a character, but she
my house, and to persons who have known me from a child.

Q. As near as you can recollect, how long after you had been
Miers's service was it that you heard him say what you have state
About four months—I went in May, and it was in September, I
he was complaining to his wife of the badness of trade—they were

once—he did not say he wished there was a *trade* in the house? *A.* I fully understood him a *train* in the house—to the fullest of my understanding it was "train"—I cannot swear that I might not have been mistaken in the letter—the observation occurred to my mind immediately I heard the house was burnt down—I had not mentioned it to any one before, but then I did—I first mentioned it the very morning after the fire—I had not mentioned it to anybody before, to the best of my recollection—I was at home then, in Hereford-street—I had not mentioned it to any but my own family up to the time of the fire—I will not be sure, but I think I repeated it at a baker's shop, at the corner of our street, on the Sunday after the fire—I do not think I repeated it to anybody before the fire—I am thinking now—I cannot recollect that I did—I did not mention it to any one connected with this prosecution, that I know of.

Q. How were you found out as having heard this? *A.* Mr. Campbell was told it from another person, Mr. Kinghorn, where I have lived since my father and mother have been dead—my mother has been dead nearly five years, and I have lived there when I have been out of service—I think I mentioned it to the person I call my mother (Mrs. Kinghorn) before that time—I was talking to her of the fire—it came fresh to me when I heard of the fire—I have said it came to my mind on hearing of the fire, but I have thought on it now, and I think I mentioned it before the fire occurred—Mr. Campbell came to me on the Friday, as I had been to my situation on the Thursday.

Mr. Kelly. *Q.* You have been asked whether you were ever charged with dishonesty: was there ever any ground for charging you with dishonesty at any time? *A.* No, not at any time; if there had, there would have been advantage taken of it—I am in highly respectable service now with the sister of Mr. Robins, the auctioneer.

Q. Was the observation you heard accompanied by any expression which impressed it on your recollection? *A.* Yes, it was a seeming wish that they had not been in the house, or that they could do away with it—I was coming in and out, and was going out at the door, and did not get the whole sentence together, but I heard him say he had had a very bad night, and he d——d the house, and wished there was a train there.

William Hopkins Holyland. I am in the house of Pawson and Co., warehousemen and wholesale dealers. They supplied goods to some extent to Mr. Miers in Oxford-street—it was done under a guarantee—the goods were all paid for on the 4th of March, 1837, and the guarantee was withdrawn on the 7th—they did not supply any goods after that—they were never asked.

James Bailey. I am one of the firm of Bailey and Milner, in St. Paul's-churchyard—we are linen-drapers and haberdashers. I have examined the contents of the six parcels which are here—they are such as would belong to a retail linen-draper or haberdasher—I find marks on them with respect to the cost price—the prisoner's marks have been furnished to me—I find by these marks that the cost price is 63*l.*—that excepts the Bible and Prayer Book—I have put the coral at 1*l.*—it is included in the 63*l.*—the part valued by me would not exceed 5*l.*—I value that by my own judgment—the rest is valued by the marks—they are not articles of a superior description, such as would belong to a linen-draper in a large way—they are very much out of condition—some of them are very much soiled and damaged—I should say they appear to be like the remains of a stock—

the original cost of them might be 63*l.*, but not in the
at the present market price—they are soiled, and v
value—there are remnants of various articles.

Cross-examined by MR. PAYNE. *Q.* How much sh
value of the 63*l.*? *A.* Fifty per cent.—some of the
some of them are very good—I would take off fifty
would not have them.

ROBERT STOREY. I belong to the fire brigade
on the night of the 20th of January—when I arr
all on fire from top to bottom—I could not ge
could be saved—I was employed to examine t
the remnants of a watch—it looked like a s
and a chain and seals—there is a little lion on the se
damaged by the fire—it was not melted, only burn
Toplis—I did not find any gold watch—I have been
years to inspect the ruins of houses and property bu
gold watch would always be capable of being seen a
identified—there would be the remains of it, to see w
find the remains of any silver spoons or forks—there
shilling, and some coppers, but no remains of any
should have found the remains of silver spoons if they
found some remains of linen and linen-draper's goods,
there had been any considerable quantity of wool
remnants of them would be found—we did find the re
very few—we found the remnants of flannels and
found the remnants of some linen and sheeting in pieces,
might be three or four bushel baskets full altogether—
—I mean that was the quantity found of what would
which we got out of the ruins—Staples went over the

Cross-examined by MR. PHILLIPS. *Q.* Was the f
you were called in? *A.* I was called about twenty
one o'clock—the fire was in full play when I arrived wi
pose we were at work at it above half an hour before we
of the fire—the house was totally burnt—we saved th
a fierce fire—it was all in a body of fire together—
of palings put round the house, to secure the ruins, tw
the fire—I remained on the ruins till the palings were
there night and day—I have put down in my bool
there—Staples is here, but none of the rest—there we
five in the day-time, and two in the night.

Q. Pray, would not you expect in a fire of that ki
have described, that every thing would be reduced to as
nor copper—I was never examined here before—we f
of woollen things—there would be some of the fragme
been things there—the fire would not reduce every th
rolls of flannel would not be reduced to ashes—Irish
roll, would not be burnt to ashes—there would be th
there is some on the rollers now—I should expect to
twenty or thirty yards of calico—I should not expect t
if it was loose—I should not expect to find any remai
should not expect to find any great deal of loose cali
should find some—I cannot say whether we should f
to show us the pattern—if loose, I cannot say whet

find any remains—if there was a great fire I should not find much, but some—I found a few steel busks, which go in stays, and a few bits of whalebone—I did not give Mr. Toplis all I found—they are under lock and key.

Q. If there was any glass would it not be entirely fused by the heat of the fire? *A.* It would be a very heavy fire indeed to make glass so that we should not detect it through a sieve—there was not fire enough to run glass, so that we could not find it in running it through a sieve—it was not enough to melt glass, because it was so soon out—the house was on fire, but there was not heat enough to melt glass or plate—one house was burned, and another damaged.

George Richard Staples. I belong to the fire brigade. I was employed with Storey in sifting the ruins of the fire—the first day I was there we turned it over with a shovel, before we used the sieve—we found the apparent remains of the stock of a shop—I should think the day I was there we did not find more than a bushel basket of remains —I have been engaged with fires since 1825—we generally find the greater part of such goods as are packed close like Irish linen—after we had gone over the ruins I began sifting, and found a seal and a lion I think on the ring with the seal, and a shilling was found and part of a silver pencil-case—we found the half-crowns the first day, along with the silver watch—we did not find any gold watch—these articles are what I found—here is a spoon—I cannot say whether it is silver—I did not examine it—I do not think it is silver.

Cross-examined by Mr. Phillips. *Q.* Is it because you did not examine it that you do not think it is silver? *A.* I did not think it was from the first appearance—I had no charge of the property—I dare say there were four firemen on the ruins sifting—there were not five the day I was there —I cannot say how many days the sifting continued—I was only there one day, Tuesday, the 13th of February—the sifting began a few days before I was there—there were three firemen besides myself.

Edward Turner. I am a police-sergeant. I was on duty in the Fulham-road about three o'clock on Sunday morning, the 4th of February—I was in the road leading from Fulham to Hammersmith, and met the prisoner with a bundle under his arm—he was going in the direction of Hammersmith, walking, and alone—in consequence of something which occurred to me at the time, I spoke to him, and asked what he had under his arm in the bundle—he stated that he had a coat and trowsers—I asked him if they were his own —he said, "Yes"—I asked where he was going—he said he was going to Hammersmith to some cousins, and was coming from Mr. Carter's, a linen draper at Wandsworth, that he lived there—I told him he must go with me to Wandsworth—I took him back, and on the road I thought I heard money rattling in his pocket—I told him to take his hand out of his pocket till we got to the station-house; and when we got there I searched his pocket, and found a £10 and a £5 Bank of England note, eighteen sovereigns, seven half sovereigns, and 6*s.* in silver—they were loose in his pocket, not in any thing—when I first heard them they appeared to be running out of a cigar-box which he had in his pocket—I heard them running out—there was a cigar-box in his pocket, a memorandum-book, and some other articles, of which my inspector, Mr. Busain, who was present, took some notes—he was asked his name, and also what he was—he asked me to go with him to the Edgeware-road, to some friend

of his, named Genna—the inspector would not allow me to do that, but said he would allow him to forward a letter—he then mentioned the name of another friend, Mr. Thomas Miers, of Whitechapel-road, and he was allowed to write a letter, by allowing the inspector to look at it before I had it, and that letter I took—he signed his name to the letter as John Martin—(he did not say where he lived—no address was given more than what I saw in the account-book which was in his pocket)—it was the inspector sent me to Mr. Miers, in Whitechapel-road—the inspector took a copy of the letter at the station—I do not remember that the prisoner said any thing further at that time—I got to Whitechapel-road between nine and half-past ten o'clock in the morning, as near as I can tell—Mr. Thomas Miers was out, but he returned in half an hour—I saw him before eleven o'clock—I delivered him the letter, and he followed me to Wandsworth and saw the prisoner, and identified him as being his brother—what passed afterwards was with the inspector—I did not know the prisoner's name was Miers before his brother came.

Cross-examined by MR. PHILLIPS. *Q.* You first learnt that by the letter which he gave you to his brother? *A.* I first learnt his name to be Miers by his brother—I found the brother in consequence of the letter, and through him found out the prisoner's name—he came to the station-house to his brother—there was a gentleman along with him, and, to the best of my belief, that is the gentleman (*the prisoner's attorney.*)

Q. Were you present at any conversation that took place at the time between the prisoner, his brother, and this gentleman? *A.* Nothing particular—it was inside the office, and I was standing outside—whatever conversation took place, my inspector will state—there was some conversation took place, and it was stated to the inspector by this gentleman or the brother, that the prisoner had left his home in consequence of a quarrel with his wife that night.

MR. KELLY. *Q.* Did this take place in the course of the conversation which arose when the prisoner's brother went to the station-house at Wandsworth? *A.* Yes—the inspector attended to it more than I did.

JOHN BUSAIN. I am inspector of the police, which in February last was stationed at Wandsworth—I remember the Sunday morning, the 4th of February, police-sergeant Turner coming to the station-house with the prisoner about four o'clock—he was presented to me by the sergeant for having in his possession a bundle of clothes, which he refused to give a satisfactory account of—in consequence of that statement I felt it my duty to put some questions to the prisoner—I asked him first how he became possessed of the clothes—he said they were his own—I asked him what was his reason for being out at so late an hour—the sergeant had given an account of the conversation he had with him—he said he was going to see, I believe, a sister or friend, a relation at Hammersmith—I then asked him his name—he told me his name was John Martin—I asked him where he lived, he said with Mr. Genna, 36 Edgeware-road—I was surprised that the sergeant had brought him from the Middlesex side to me, as he belonged to Chelsea station, and asked him why he brought him to me—he said because he had referred to a linen-draper who knew him at Wandsworth (the Bee-hive) who he had formerly lived with, a Mr. Carter, and therefore he thought it necessary to bring him over to me, that if the reference was correct, he might go about his business—I told the prisoner I was not satisfied with the account, and his being out at that hour, and wished to know what other property he had about him—he put his hand into his coat pocket, and took out a lot of gold

sovereigns and half sovereigns—it was a kind of frock coat he had on—the pockets were at the side, not in the skirt—he produced a cigar-case with the end of it knocked out, and in that was a £10 note and a £5 note—the gold was loose in his pocket—there were eighteen sovereigns and seven half-sovereigns—there was a memorandum book—I have not got it here, it was given up to his brother—on examining the memorandum book I saw the name of Mr. Miers—it appeared a journal, such as commercial travellers would have—when I saw the name of Miers I asked him who this Mr. Miers was—he said it was a person for whom he was, or had been in the habit of doing business—he did not tell me it was his brother—I told him I was not satisfied on the subject, and wished to know where this Mr. Miers lived, it appearing to be by the journal an account current entering into the present year—he told me Mr. Miers lived at 34, Whitechapel—he requested pen, ink, and paper of me, that he might write, as I said I should send to Mr. Miers—I furnished him with pen, ink, and paper, and took a copy of the letter which he wrote—I saw him write it—he did not at that time tell me that Mr. Miers was his brother—I had no idea that he was his brother till he came to the station-house—he signed the name of John Martin—after the letter was written, I directed the police-sergeant to take it to Mr. Miers, and between eleven and twelve o'clock that morning Mr. Miers came to the station-house with that gentleman—the gentleman did not tell me he was an attorney—Mr. Miers said the prisoner was his brother, and claimed the money as his property, and the book also.

Q. Up to the time Mr. Miers came and said he was his brother, and claimed the money and book, had you any reason to believe the prisoner was related to him, or that he was his brother? *A.* Not in the least—the attorney did not explain the reason why he gave the name of Martin—Mr. Miers explained it, saying he was his brother, and was very much obliged to the police for detaining him, because he had left home in consequence of a family quarrel, and he was afraid he would have committed suicide—Mr. Jervis, the attorney, was present at that statement—he did not contradict it or confirm it—he passed no remark—the prisoner was exceedingly agitated during the time—neither the prisoner, his brother, or the attorney said any thing about his having had a fire at his house, or any thing of the kind.

(*This closed the case for the Prosecution.* Mr. Phillips *addressed the Jury on the prisoner's behalf, and the following witnesses were called for the Defence.*)

William Midgley.—I commenced living as shopman with the prisoner, Mr. Miers, at the latter end of September, or beginning of October, 1835—he carried on business at that time at 184 Oxford-street—I continued with him till he removed into High-street, and continued in High-street till the 16th of May last—he finished removing from Oxford-street to High-street on the 25th of March, 1837—I assisted him to remove the goods.

Q. In your estimation, what was the value of the stock he removed from Oxford-street to High-street? *A.* I should think it was upwards of from 2800*l.* to 3000*l.*—I cannot say exactly, and it continued at about the same amount till I left—we kept buying goods as we sold them—I expressed to the prisoner my intention of setting up business myself as a linen-draper in Crawford-street, and I bought some things of him in King-street, Regent-street—they were coffee-house fixtures and furniture—he wished

to let the house in King-street, and wished to get rid of it, as it did not e
actly answer his purpose—I bought the furniture to put into my house
Crawford-street—I was to pay 60*l.* for them—I married Miss Maria York
sister of Mr. Miers's wife—he did not know we were married at the tim
bought the fixtures of him—she was managing the coffee-shop at the tim
married her—I had an idea of having a bill of exchange got, before I bou
the fixtures, from an uncle of mine, of the name of Bowler—I afterwa
obtained it—Mr. Miers furnished me with goods to the amount of betw
50*l.* and 60*l.* for the purpose of stocking my shop in Crawford-stre
and while the shop was being fitted up he lent me between 20*l.* a
30*l.*, making altogether between 80*l.* and 90*l.*, besides the 60*l.* worth
furniture—when I obtained my uncle's acceptance, I took the bill
Mr. Miers as I had promised him—I gave it to him according to p
vious promise—it was for 410*l.*—it was drawn by me, and accepted
my uncle—I delivered it to Mr. Miers for the payment of the goods I h
had, the money lent, and the coffee-house fixtures—it was as security—
was to pay me over the difference when the bill was paid—it had a mon
to run—if it was paid at the end of the month he was to give me t
difference.

Q. Having possession of that bill, did you make any purchases of Walt
and Co., wholesale warehousemen in Wood-street, Cheapside? *A.* Yes, to t
amount of between 140*l.* or 150*l.*, and I bought, at different houses, oth
goods, to the amount of about 50*l.*, for the purpose of stocking my shop
Crawford-street, to open it—I expended about 30*l.* in fitting up the shop
the bill became due before I could get the shop ready to open, or rath
the same day that I was to open, the 27th of June—it was not paid—t
money I expected to receive on that bill was the only means I had
carrying on the business, and opening the shop, or paying for the goods
had purchased of tradesmen, or of Miers—when the bill became due, Mie
came to me, and asked what he was to do—I advised him to go to the a
ceptor, Bowler, and I went with him—he lived at No. 38, Pickering-plac
Bayswater—I was not alarmed, as I expected he had not the money the
but would pay it in a few days—he did not pay it when we went to him
he offered to give Miers 200*l.*, and his acceptance for 210*l.*, payable
another month or two months, whichever they liked to agree to—Mie
would not accept that, and told him he should bring an action agai
him for the full amount, unless it was paid—Miers paid it after that to h
brother, Thomas Miers.

COURT? *Q.* What, endorsed it over to him? *A.* Yes, after it w
over due.

MR. PAYNE. *Q.* Did Miers eventually recover the bill or not? *A.* N
it remains unpaid still—an action was brought on it, and the verdict w
for the defendant—the action was brought by Thomas Miers, but the a
rangement was made between Miers and myself—the bill was taken t
Jennings and Turner, Whitechapel-road, and they arrested him for it—th
prisoner and I arranged that I was to give him back all the goods I had
him—then there was an agreement drawn up by Mr. Turner.

WILLIAM HENRY TURNER. I am a partner in the firm of Jennings an
Turner, solicitors, Whitechapel-road—I have not any agreement, or an
document here between Mr. Miers and Mr. Midgley—I drew up a paper
which was taken away immediately after I had drawn it, either by Midgle
or by Robert Miers—I think they were both together—it was on the 9th o

August—I have never seen that draft since, but I saw the fair copy of it after it had been signed by Midgley—I saw it in the possession of the prisoner.

COURT *to* WILLIAM MIDGLEY. *Q.* Have you got that? *A.* No, I have not—the only time I saw it was when it was signed—I believe Mr. Genna witnessed it—the prisoner got possession of it, and it remained in his possession up to the time of the fire, for aught I know.

WILLIAM HENRY TURNER (*continued.*) I recollect what the purport of the agreement was perfectly—the date of it must have been a few days after the 9th of August—it was very shortly after I had drawn it—I have not got a copy of it—I drew it roughly on a memorandum, while the parties were in my office—and that rough draft which I so drew I handed over to one of them, and they took it away—I afterwards saw a fair copy which had been signed, and read it—there was a blank left in it for some words—I am able to tell the substance of the contents of that fair copy.

MR. KELLY. *Q.* Before you do so I will ask you a question or two; if I understand you, the agreement that was signed between these parties was prepared about the 9th of August? *A.* That was when the rough draft was prepared—that rough draft was not signed—it was delivered to one or other of them, and I never saw it again—it was not signed in my presence—it was about a week or ten days after, I should think, that I saw the fair copy—that was in the possession of Robert Miers—it remained in his possession after I had seen it—that fair copy was signed by Midgley and Robert Miers—I think it was signed by both—it certainly was signed by Midgley, and it was witnessed—I do not remember the name of the person who witnessed it—it was certainly signed by Midgley, and I believe by both.

Q. Now I wish you to be accurate about it; have you a sufficient recollection of the contents of that instrument which was signed, and which you call a fair copy, so as to state its contents? *A.* I can state its general contents, I think, accurately—its general purport—I have no doubt I can state that accurately—I think I can state substantially the whole effect of it.

MR. PAYNE. *Q.* Then, now state the substance of the agreement. *A.* The substance of the agreement was to this effect: That Thomas Miers was to be plaintiff in an action on a bill of exchange—I am not sure whether it was before the action was brought—I can tell by reference to my book—I have got the proceedings of the action—(*referring to a memorandum*)—it was after the action had been commenced, just after the writ was issued—the substance of the agreement was to this effect, that certain goods belonging to Midgley were to be deposited with Robert Miers, which goods, I believe, were specified in an inventory by way of schedule, and Robert Miers was to have the power of disposing of those goods; if so disposed, to convert them into cash, and the proceeds were to form an indemnity against the costs of the action brought by Thomas Miers against Bowler, the defendant in the action—I think the goods were valued in the agreement at 147*l.*—it was the ascertained value.

WILLIAM MIDGLEY *re-examined.* The goods mentioned in that agreement were removed to Isleworth previous to the agreement being signed—they were removed from Crawford-street to Isleworth, and at Isleworth the value was a scertained by Mr. Genna, of No. 36, Edgware-road.

Q. Was any arrangement made between you and Robert Miers respecting any goods not mentioned in that agreement? *A.* Yes—that was

just before the agreement was made—he was to have all his own goods back, with the exception of about 12*l.* worth, that I had sold to a Mrs. Ashley and some others—the goods in the agreement were confined to what I had purchased of Walters, and elsewhere, but there was about 20*l.* worth which did not go back to him—there were fixtures which I had sent to Green's sale-room in Edgeware-road—Bartlett was the auctioneer—Miers received the money for those goods with my consent—they were fixtures which had been removed from the coffee-shop to Crawford-street, which I had agreed to pay 60*l.* for.

Q. Did Miers consent to take his portion of the goods back which you sent him, and the amount of the fixtures, in payment of the whole amount you owed him, except the costs of the action? *A.* When he had the goods back he had been paid all except what I had pawned, and the 12*l.* worth—it was all arranged between us except the costs, and we cried "*quits*"—I had an interview with him on the subject of the costs, in Whitecross-street prison, on the 19th of January—I asked if he had ascertained from Jennings and Turner the amount of costs, because I wanted to have my goods back—I wanted the difference paid over to me between the amount of costs and the value of the goods—he said Jennings and Turner told him it was about 100*l.*—I asked if he would give me 50*l.* for the difference, which I thought would satisfy me, with what I had had before, because he had pawned something for me while I was in prison—I had received money from him before—I wrote him a letter that day—this is it—(*looking at one*)—I wrote it on the day it bears date—at that time he was in possession of the goods deposited as security—I had not received them back—I never had them, nor the value, except the sum he advanced me, which was 10*l.* or 11*l.*—I intended to take the benefit of the Insolvent Act at one time, but my friends did not wish it; therefore I came out—I went in intending to take it, as I had no money to pay my creditors—I was very badly in want of money at the time I wrote that letter—as he had said he would not give the 50*l.*, I wished him to leave the goods at a coffee-shop—he said he had no objection to give me the goods, but the money he would not give me—I wanted the money to pay the prison fees, and wrote this letter—(*read.*)

"*White Cross-street, Jan. 19th,* 1838.

DEAR SIR,—You said yourself this morning, that the lawyer said the expenses would not be more than 100*l.* and the 1*l.* you brought for my ticking pawned to-day, is all gone. You will remember the goods valued to you is 180*l.*, and all I have received of you for goods pawned for me, since I have been here is but 10*l.* or 11*l.*, and the lawyer has had the best part of that. I want you to send me by bearer 18*s.* to pay my prison fees, and do not disappoint. You will recollect you are out of prison, but I am in and feel it. I shall expect that you will be as good as your word, and send me the things to the Coffee-shop, near Oxford-market, that I told you of this day, certain, and pack them in small lots, so that I can get them away as I want them; and let them be such as I can raffle for. If you will leave them soon enough, I think I can sell some, and pay Sidney by Monday, and get out, and if I do, I shall have a bed there, and shall send for you; and if I don't, I shall take the benefit, as there will be only but 2*l.* more to pay the lawyer, to finish it. You know what I said to you about Maria, and get Ellen to let me have as many little things as she can spare. Yours truly, WM. MIDDLEY."

Q. Who is Sidney mentioned in that letter? *A.* He is the plaintiff's attorney, whose debt I was in for—Ellen is my wife's sister, Mrs. R. Miers —Maria is Miss M. York—my wife was in the family way at the time, and I wanted some baby-linen—that is what I allude to about Ellen—when I wrote that letter I expected soon to get out, the lawyer had been down to me two or three times—I asked one of the turnkeys to get a messenger to deliver the letter for me—and I received the 18*s.* in answer to the letter, from the same turnkey.

Q. After you wrote that letter, did you expect the goods would be sent to the coffee-shop mentioned in it? *A.* I did—I was not able to arrange with Sidney as I expected, and that prevented my going to the coffee-shop to see if the goods were there—I saw Miers again about the 31st of January—he came in consequence of a note I sent him—this is it (*looking at it —read*)—("To Mr. Robert Miers, Ingram-court—If you can spare time I wish to see you this afternoon, as I have seen Mr. Sidney to-day, and have something to say to you. Yours, W. MIDGLEY, Whitecross-street, 31st January, 1837.")—I intended the date for 1838—Miers came to me and told me he had since called on Jennings and Turner, who told him the expenses would be 200*l.*, and he could not let me have the goods he had left at the coffee-shop, and he was going to fetch them away—then it turned out that he had left them at the wrong coffee-shop, and he said he should go and fetch them away—by "the coffee-shop, near Oxford-market" in my letter, I alluded to Clutterbuck's, which is twelve or fourteen doors from Oxford-market—I do not know the name of the street, but it leads out of Regent-street, and out of Oxford-street, and into Oxford-market—I have been there—Clutterbuck was not acquainted with me, but he knew me to be frequently at his house—I was present at the valuation of the goods at the shop at Isleworth, by Genna—I occasionally served in that shop, and Ann York did—the value of the stock there was 250*l.* or from that to 300*l.*—when I went to the shop first, Mr. Miers's name was put up—I do not know exactly when I first went there, it was some time in August—after that the name of Ann York was up—that was about three weeks or a month after, or may be not quite so long—she had just arrived from Lancashire—she managed the business—the stock was from 250*l.* to 300*l.* —I cannot tell to 30*l.* or 40*l.*—I left Crawford-street three or four days after the bill became due and was dishonoured, which was on the 27th—I never opened the shop—I declined opening it the day the bill became due—I knew I could not open it when I had got no money—it was about the latter end of June or beginning of July—I then went into Mr. Miers's employment—I continued with him at Isleworth and High-street, till about October, sometimes at Isleworth, and sometimes at High-street—I left him in October, because I was afraid of being arrested by my City creditors—the persons of whom I had purchased goods—I resided in the Westminster-road from that time up to December—the prisoner told me of his taking the shop in Old Kent-road, at the latter end of November, or beginning of December—my wife was to manage that shop—about the 18th or 19th of December, he called on me where I was then lodging, in the Westminster-road—I was then out of employment—I mentioned to him that I wanted a situation, for I had no friends nor money, and he suggested my coming back to live with him again, and I went, on the 23rd of December, to his shop in High-street.

Q. Do you remember on any Sunday packing any goods? *A.* I do, the

day before Christmas-day—I assisted the prisoner in packing them shop—there was not more than 100*l.* or 110*l.* worth—not much m cannot exaclty tell the amount—they were to go to Surrey-place, road—he made no secret at all about it—I afterwards, by his dire packed up some other goods, for the same place—there was not mo 40*l.* worth, or there might be 50*l.*—the goods packed up then, and Sunday, did not come to so much as 200*l.*—the goods were packed Sunday, because we had been very busy during the week, and had n to do it—I continued in Mr. Miers's employ till about the 9th of J —I was then taken in execution to Whitecross-street—I was take in the morning, as I was cleaning the windows.

Q. Can you tell, while you were in his employ in High-stree was, in your opinion, the average amount of stock on the premise From 2800*l.* to 3000*l.*—it was full that amount—we always co at the same amount as when in Oxford-street—at the time I wa away to Whitecross-street, these things had been sent away, a things, to Isleworth—I should think the stock then was about 23 2400*l.*—it was more than 2000*l.*—I cannot ascertain nearer than speak from my general practice—I have been seven or eight years trade.

Cross-examined by MR. KELLY. *Q.* How old are you? *A.* next birthday—the 11th of February is my birthday—I am ju nineteen—when I was about to commence business in Crawford-stree eighteen years and six months old—I took the house—I was to p guineas a year rent—I married in February, the same month in I became eighteen years of age—I never opened my shop—I wa into custody by Marriott, the Bow-street officer, on the 1st of no, I beg your pardon, I know what you are inquiring about— on the 1st of July I hired the horse and chaise—I was at Newport that day—I beg pardon for making a mistake before—I hired a ho chaise to go five miles into the neighbourhood—I can give you a why I did it—I drove to London—I had some money in my pocke I left Newport Pagnell, but not above 5*s.* 6*s.*—I left my snuff- one of the toll-gates, instead of paying the toll, as I had not su money to take me there—I will explain it, as it may have a very ent effect—I left the cushion of the gig at another toll-bar for th reason, and I left the box at a third for the same reason—I start Newport Pagnell on Saturday afternoon, about four or five o'clock, a in London at five o'clock in the morning, or between five and six o' I did not look at the clock to see—the distance is fifty-two miles— the name of Gardener—I can give you a reason for that—that only time I passed by that name—it is stated in that bill you h there.

Q. Were you aware that hand-bills were out offering 5*l.* reward Not till the officer came to my house and took me—he showed bill then—(*looking at a bill*)—this is the same bill, at least a copy o

Q. Well now, were you, after the lapse of some eight or ten da prehended on a charge of horse-stealing? *A.* No—it was not so ten days, nor a week—it was on Tuesday night they came to me, Saturday I had the horse and gig, and was just going back when the me—I had the money in my pocket then—they pretended to ma charge—I was taken to Bow-street, before Mr. Minshull—he dis me—I was remanded for about two hours, because Mr. Minshull b

tell me I brought the horse away on a false intent—I was saucy to him, and told him I had not, and he threatened to remand me for a week, but it turned out different, he only remanded me for two hours.

Q. Pray, did you send for Mr. Miers, the prisoner? *A.* Mr. Miers came down to me without being sent for—he knew where I was gone—somebody went and told him—I never sent for him—after the two hours I was taken again before the Magistrate, and he gave me a lecture, I said nothing at all, and he discharged me—there was no talk about sending me to Hertford goal for stealing the box—Mr. Minshull told me I was liable, if the Magistrate of the County liked to send me—I cannot tell whether it was in the County of Hertford that I left the box—I did not escape by getting Mr. Miers to satisfy the owner—he gave him some money of mine—I was not committed to Hertford or any where—the owner had his box, but not any thing else, and I paid for it—I was going back on the Tuesday that I was apprehended—I am quite sure it was the Tuesday, as I hired the horse and gig on the Saturday.

Q. Did you say when you hired the horse and gig in the name of Gardener that you were going to one Lines in the neighbourhood? *A.* I did—I went down into the country to try to get money to go on with the action without borrowing money—I went to Richard Gardener to ask him to lend me money—I had sufficient money to take me down, and when I got there he would not lend me any money—no, I beg pardon, I did not go to him then—I went to Newport Pagnell—I found it was too far to go to Lines, and went there—he could not lend me any money, only a few shillings—I intended to go to London, and then take the horse and chaise back—when I got there the horse was so knocked up I could not take it back, because it was rather an old horse—I meant to come to London to get the money to pay for the horse—I have no other explanation to offer—I know a person named Bartlett—I did not get him to sell a carpet belonging to Miers, and receive the money as mine—he sold a carpet—it was not mine—I received the money.

Q. Did you ask him not to mention it to Miers? *A.* Not at the time I received the money—after the goods were sent to Bartlett to be sold, Miers began to complain about what I owed him—it was before the arrangement was made—I had received 2*l.* 10*s.*—Miers said I owed him money—he wanted me to give the goods up to him, which I did—I directly went to Bartlett not to tell him I had received the money, as he asked me if I had received it, and I had told him I had not, although I had—I told Miers a falseoood, and told Bartlett not to reveal it—Bowler, who accepted the bill, is my uncle—he did not owe me money, but he promised to lend me some—when I went to ask him, he told me he had not got it about him—I then asked him to give me a bill for 410*l.*, which he did.

Q. How came the amount to be 410*l.*? *A.* I had borrowed 18*l.* of him—he asked me to give him some of it—I could not, as I wanted to pay for my stock, which was 400*l.*—I could not give him 10*l.* which he wanted—I told him I could not, unless he put it in the bill, and I would go and borrow it of my brother-in-law—he said, very well, I might get the 10*l.*—I went back and told him I could not get the 10*l.*, as my brother-in-law was out, and I never did give him the 10*l.*—the bill was to be for 410*l.*, and I was to pay him 10*l.*, which I was to borrow—I do not know where the bill is—it is lost—the verdict was for the defendant, and I have never been troubled about the bill—the money is lost, but the bill is in the Court of Queen's Bench, *I believe.*

Q. Did not your uncle resist the payment of that bill, on the ground that it was a forgery, that it had been drawn and accepted for 10*l.* only, and altered to 400*l.*? *Q.* That was his plea, but it was merely to get off the payment—he never mentioned a word about forgery—the defence was, that it had been altered from 10 to 410—the Jury found a verdict for the defendant—I saw the bill when I swore an affidavit here some months before the trial.

Q. On your oath, was there not an alteration on that bill that anybody could see with an eye-glass? *A.* There was an alteration thus far, that behind it was my name and Robert Miers, and June 27, the day it became due—that was all the alteration—I was to have that bill instead of money—I was not examined on the trial—I believe if I had, the verdict would have been for the plaintiff—I suppose they thought they had proof sufficient without me—I was in Basinghall-street at the time, at a public-house, waiting to hear the decision—I believe the prisoner was subpœnaed by the defendant—I do not know whether he was called—I never asked him—Thomas Miers was the plaintiff in the action—I never made any agreement about that—I paid the bill to Robert Miers—I was subpœnaed for the plaintiff, and ready to be called—nobody but the attorney knew where I was—I had lived at West Ham for a few days before the trial—I was to be found—I was in London streets every day—I was in London on the Saturday night, as the trial was to come on on the 24th of November—it came on very early in December.

Q. When you heard the verdict was for the defendant, where did you pass the next ten days of your life? *A.* In Westminster-road—people told me there was an officer looking for me on a charge of forgery, but I did not believe it—I was told one night, when I went home to Crawford-street, that there was an officer waiting for me—Mrs. Ashley wished me to go down the area steps, but I would go out at the door—I had sold her some of the goods.

Q. Since the verdict you have taken no further trouble about this large sum of 410*l.*? *A.* I have heard a new trial was applied for, and I believe a Mr. Kelly applied for it, and that it was lost—I never went to the house in Surrey-road while it was open as a shop—I was there on the 24th of last month—the name of Clark over the door was intended for my wife—she took that name, because it would be foolish to open in my name when I was in Whitecross-street—that was the principal reason why my name was not over the door—I was not in Whitecross-street at the time, but I expected to go every day—my wife took it, and began in the name of Clark—that is the fact, there is no secret at all about it.

Q. When was it the prisoner saw you in Whitecross-street, before that letter was written? *A.* On the 19th of January, I desired him to send the property to the coffee-shop—I did not say Mr. Clutterbuck's.

Q. You say in the letter, "be as good as your word, and send me the things to the coffee-shop, near Oxford-market, that I told you of to-day;" you had seen him before? *A.* Yes, and told him the coffee-shop near Oxford-market—I did not tell him any name—he asked me what street it was in—I told him I did not know—I did not know there was such a number of coffee-shops near the market, or I might have been more particular—he was not to tell them my name—that would be of no use.

Q. How were you to get them? *A.* I should have gone and asked if the things had been left there for me—they knew me, and where I lived,

at Clutterbuck's—Miers was to have left his name, or say a young man would call for them who comes for me—the property was to be in small parcels—50*l.* or 60*l.* worth of property, done up in small parcels—I intended to take one away at a time, and sell them.

Q. Were they all to be left at the same coffee-shop, or at different ones? *A.* He was to leave them where he liked—at least at the coffee-shop nearly opposite Oxford-market, which is Clutterbuck's—I made a mistake in saying he was to leave them where he liked—he was to leave them at this one coffee-shop—he had pawned some ticking to raise 1*l.* for me—I believe it was a day or two before the 19th, if not that day—he brought me money that day—he had pawned other articles for me to the amount of 10*l.* or 11*l.* in different pledges—I never looked at the tickets—he brought me the money while I was in prison—those articles have been redeemed—I gave the tickets up to Mr. Jervis, Miers's attorney—Miers gave him some, and I gave him some that I had pawned before—I pawned some in August—I was taken in execution for about fifteen guineas, expenses and all—the original debt was five guineas, which I had owed to a tailor for not more than three or four months—the action was commenced in August or September—I had the clothes in May or June—I was served with a copy of a writ in July, I believe—I heard no more of it, and was taken in execution in January—I remained in prison from the 9th of January till about the 10th of February—my friends wished me to get out, and Mr. Jervis arranged it, I believe—I do not know how—by my friends I mean my relations—the Gardeners wished me to come out—none of them wished me to stop there—I have not been in prison since—if I could not have got out I must have taken the benefit of the Insolvent Act—I took steps to do so—my debts and liabilities amounted to about 878*l.*, including the £410 bill which I had endorsed to Thomas Miers, and was liable to—if I had had the money, I should have been made to pay it—when I endorsed the bill I owed Robert Miers 60*l.* for coffee-house fixtures, 40*l.* or 50*l.* for shop goods, and between 20*l.* and 30*l.* money lent—I have paid none of my debts, except the fifteen guineas to the tailor—Miers had the goods back—I am now going to take a situation—Mr. Jervis has been allowing me money to keep me till this trial, because I was going into the country to take a situation—I have been living in West-square—Mr. Jervis has lent me not above 7*l.* or 8*l.*—I have not been in the gallery of this Court, nor in the Court, till I came in just now.

Mr. Payne. *Q.* Had you an uncle of the name of Gardener? *A.* Yes; living at Cranfield, seven or eight miles on the other side Newport Pagnel—he is a clergyman, and was formerly a lawyer—I used his name for the purpose of getting the chaise lent to me—I had not the slightest intent of making away with it—I left the cushion for the toll—I did not attempt to dispose of the horse or any thing, that the man will tell you where I left it—I went two or three times a day to see about it—the Magistrate said he hoped it would be a warning to me not to do so again, as, if it was in anybody's hands but those who knew my friends, perhaps they would have committed me—but he did not believe I did not intend to return the chaise—the bill was on a 6*s.* stamp, which is proper for 410*l.*—I cannot tell why nobody but the attorney was to know I was at the public-house on the day of the trial—I had heard nothing about a charge of forgery then—I was afraid of being arrested by my City creditors—it was three weeks after the time that I heard an officer was waiting, and desired to go down the *area steps—no steps* have been taken to prosecute me about that bill.

Q. Was the threat about the forgery after your uncle had promised to p 200*l.*, and give another bill? *A.* Yes; when we went with the bill he s nothing about forgery—it was when he was arrested—I had no mean supporting myself to come here, only by receiving money from Mr. Jer

CHARLES HAYNES. On the 19th of January I was a turnkey of Whi cross-street prison. Midgley was confined there—about seven o'cl that evening I was called to the gate to get a messenger to send a lette High-street, Marylebone—I received the letter from Midgley—I thin should know it again—(*looking at the letter produced*)—I know noth about the contents—I have no doubt that is the letter—I gave it to Da a messenger, with instructions to bring me an answer back—he retur about nine o'clock that evening, and was admitted by another officer nam Dawson—he gave me a paper containing 18*s.*, which I handed ove Midgley—I opened it and counted it first—he had given me 1*s.* bef and 6*d.* more when I gave him the 18*s.*

WILLIAM HENRY TURNER *re-examined.* I was the attorney in action for the bill of exchange—it was in my custody till the trial—it w on a 6*s.* stamp—Midgley was in attendance to give evidence—he was a public-house in Basinghall-street—nobody except myself knew where he w as I expected the defendant's attorney would have had him taken i custody to prevent his being examined—that was the only reason—he w not called, as my counsel deemed it would be more prudent not to state t circumstances relative to the application made by Midgley, and that should merely prove the handwriting of the defendant—Mr. Butt and M Keating were the counsel—I at first thought the costs might be about 10 or a little more—but I found the defendant's costs were made out to enormous amount, 236*l.*, or about that—I took off about 125*l.* in t taxation and brought it to about 110*l.* or 111*l.*, which made the wh costs about 200*l.*—there was a motion for a new trial—I am not aw whether I personally acquainted the prisoner of the increased amount costs, but he was aware of it by some means, I know.

MR. KELLY. *Q.* Your costs were nearly 100*l.*? *A.* They have been ma out—I speak roughly—I think they would be nearly 100*l.*—when I spo of the costs as 100*l.*, I spoke of it at the commencement of the action, a did not know how the thing might go—it was at the commencement of t suit—I thought they would be about 100*l.*

Q. Can you take upon yourself to say, that you, at any time after t verdict had been given, told Miers the costs would be only 100*l.*? *A.* am not quite certain; but I think it most unlikely that I could have ma such a statement, because my own costs I could form some opinion of—was in Court during the trial—the defence was forgery by means of alteri the bill from 10 to 410—I think Lord Chief Justice Denman inspected with a magnifying glass—there was a glass—the bill was impounded b order of the Court—I have not been paid my costs—my client, Mr. Thom Miers, gave me a cheque for the defendant's costs, and I paid them—mu will be paid—I have only lately delivered a bill for that and other busines

MARIA MIDGLEY. I am the sister of Mr. Miers's wife. I was marri to Midgley, in January, 1837—I was then living in King-street, Regent street, at a coffee-shop—I was placed there by Miers—I afterwards wen to live with him, and assist him in his business—I cannot tell the date—i was in 1837—I went from King-street to High-street, in May, 1837, an

out the latter end of November, I think—I think we went to Craw-
reet in June—we did not open shop there, because it was not con-
t—I cannot tell the reason why he did not open it, he gave up the
nd fixtures to Mr. Miers—I cannot tell whether he was indebted to
at that time—he was afterwards, to what extent I cannot tell—the
ctions between them were, to a certain extent, without my knowledge
ve been to Isleworth occasionally, but not to reside there—I was in
-place, Kent-road—when the shop at Isleworth was given up, the
came to Surrey-place—about 300*l.* worth came there.

Having been in business some time, can you judge the amount? *A.*
om that I speak, and other things were brought from High-street to
ount of about 200*l.*, according to my judgment, making about 500*l.*
lieve the shop in Surrey-place was opened on the 16th of January,
ruary—it was February I think—I had the management of it, which
paid for.

When you went to live in High-street, in May, did you form any es-
of the value of the stock at Miers's? *A.* No, I cannot tell you at
ut it—the shop was well stocked, that is all I can say—it continued
ocked down to November—when I left there was a quantity of lace
a great number of shawls, moreens, and all sorts of linen-drapery—
the time I was there I frequently heard Mr. Miers complain of the
of gas, and also his lodger in the first-floor, named Smith—I fre-
y found the smell offensive—there were seven or eight burners in the
I think, some in the window, and some in the middle of the shop—
in the window were in a central direction, as well as I can tell, and
t the counter—the pipes were carried through the counter—there was
-board crossing the front of the shop in the window—shawls and other
s hung in the window for show—they occasionally remained there
the night—I know the gas-lights were not left burning during the
while I was there—I cannot tell exactly what quantity of plate Mrs.
had—there was some in the house when I left in November—I saw
se during the time I was there, up to the time of my leaving, and a
ght after—I went occasionally after I left—Mrs. Miers had a child's
and bells.

Was that yours? *A.* It was given to her by my husband—I have
nily—I had a black trunk which I took with me from High-street—
not sent to me—there was part of my wearing apparel in it—I went
in a coach—I cannot exactly tell when—it was on a Thursday, and I
e the Thursday previous to the shop in Surrey-place being opened on
turday, which was early in January—there was nothing in it but my
g apparel—there was no other black trunk in the place while I was

ss-examined by Mr. Clarkson. *Q.* Where are you living now? *A.*
st-square, which is in Southwark, I believe; perhaps you can tell
than I can—I have given my direction, that is all I can tell—I can-
ll where it is.

If you were on London-bridge, which is the way to it? *A.* If I was
I could find it, but I cannot tell you—I have lived there about
nth with my husband—it is in North-place, East-square, South-
—the landlord's name is Woodrow—it is a private house—I have one
room on the first-floor—you know the way better than I can tell, and
n't answer any such questions.

Q. Do you mean when you say you cannot t
A. I won't tell you—I am twenty-five years ol
Maria York, that is the only name I have gone by
—I have not gone by any name but my hus
married—I have gone by the name of Clark, if t
no other name—I was married in February, 18
Q. I thought you said just now it was in
haps I did—it was January or February, I can
you did not puzzle me so much I could answer
—it was in January, I am quite sure, and I will s
is it essential for me to tell the church—I will n
Q. Were you married in London or the count
that question—I swear I am married—I wa
Hanover church, which is in Hanover-square,
12th of January, I believe, and by licence—I c
age exactly when we married—I do not know w
Q. In the month of December last, were you
—(*Here the witness quitted the box, and was abo*
COURT. You must come back. *Witness.* I
COURT. You must—(*witness returned.*) No
is very necessary for the purposes of this case—
confined in December? *A.* Yes.
MR. CLARKSON. *Q.* Have you been confin
No—in January last I was living in Surrey-plac
baby-linen—that was previous to my expecting
I cannot tell you either day nor date—it was late
not tell you when it was.
Q. Was it at Christmas last?—When *do* yo
A. I cannot tell, not to speak the truth—I hav
confined, not to a week or a month—I am not a
coffee-shops in the neighbourhood of Oxford-ma
Q. Did you expect to have any baby-linen wr
and prayer-book, and a child's coral and bells,
near Oxford-market? *A.* I expected them to
know where they were to be sent to—(*looking at*
—I have seen these before, in High-street—I ca
last—I do not know Clutterbuck, who keeps a
my husband speak of him—I did not hear him s
linen and books to be left at Clutterbuck's—I di
I was backwards and forwards at Isleworth occa
my sister, Ann York, managed the business ther
very ill—she has a bad cold, I believe, but I d
does not live near us—I cannot tell where she
married a person named Milligan—I lived in I
to East-square—we had three rooms there—I li
Surrey-place—I forget what month that was in
and winter, I believe—the prisoner and his wife
morning after the fire—it was morning before
the time the fire broke out—I cannot tell when
I did not see her then, nor on the Sunday or Mo
not know on what day I saw her—I cannot r
Tuesday.

Q. Was she living with you and Mr. and Mrs. Miers in Ingram-court till she was taken before the Magistrate, to be examined as a witness? *A.* I came to Ingram-court on the Monday night, and she came, I believe, on Tuesday—it was a fortnight after the fire that I came there—Mr. Miers was not there at all—Mrs. Miers was, and she received me there—Ann Wright was living there when I went there—I do not recollect her going before the Magistrate—I recollect the officer, or somebody from the Fire Office, coming and taking her away.

Q. Why did you think it was somebody from the Fire Office? *A.* Because she has been in custody ever since.

Q. On your oath, did not your sister, in your presence, after Miers had been taken into custody, desire her to answer no questions? *A.* No, I deny it—I firmly deny that assertion, both on my sister's side and my own—as to any other person, I cannot answer for others—nobody did so in my presence—nothing of the sort was said to her at any time—I took the name of Clark at Surrey-place, by Miers's desire—I carried on the business in that name, being my mother's maiden name—the goods at Surrey-place were supplied from High-street, as I wanted them—there were none but what came from High-street or Isleworth—I lived with my husband in Crawford-street, during the time that house was being fitted up—according to my judgment, the whole stock, which came from Isleworth to Surrey-place, amounted to about 300*l.*, and I should say, I received about 200*l.* worth from High-street—the stock in Crawford-street came from the City, from different warehouses, I cannot tell where—none of it came from High-street, to my knowledge—Miers did not come there, from High-street, with a coach-load of goods, to my knowledge—I will swear I did not accompany him with any—several parcels came to Surrey-place by the Parcels' Delivery Company—I cannot say whether there were Irish linens among them—I am not certain—some silks came—no boxes of ribbons came—there were a few lengths of ribbons—I do not think there was any delivery of boxes of ribbons in Surrey-place—there was not a dozen—no goods were brought there in a cart, to my knowledge—I know Mrs. Paul, who lived at No. 29.

Q. Will you venture to swear there were not boxes of ribbons, and large parcels of goods, brought in carts and coaches, and by Miers himself, to Surrey-place? *A.* There never were parcels of ribbons, nor any kind of mercery goods, brought there in a cart, or coach, or van—the principal stock of ribbons was very small, and came from Isleworth, and a few were sent down, with other goods, in different parcels—they were coloured ribbons, which I wanted; as for boxes or parcels of ribbons, they never came to that place, either in cart, van, *cab*, or coach—the stock and furniture came altogether from Isleworth, in a van—I cannot tell whether the house in Surrey-place was taken by the week or year—I did not take it—I believe it was not taken weekly—I cannot tell how the house in Crawford-street was taken—we staid there three weeks or a month—the stock was taken from there to High-street, I believe—I cannot tell the value of it—I can give no idea of it—I cannot tell who took it to High-street—I do not know whether my husband did—I did not accompany him, I will swear—I am not at present doing any thing towards obtaining a living—I do not entirely depend on my husband—I have different friends who contribute to my support—my principal friends live in Lancashire—my uncle Cullen contributes to my support—he does not make me a regular allowance—I

do not know how long my husband has been out of
know how he has been able to live—I have got
three months, through the medium of my friends—
my husband came out of prison—he did not come to
as he came out—I was living in Ingram-court the
not recollect either day or dates, and therefore, unles
I shall not answer any questions.

Q. Now give me the name of the person at who
been living for the last month? *A.*—(*hesitating*)—
I did not leave High-street on one occasion with Mie
of which contained plate, on my oath—I did not l
box, parcel, or bundle, containing two table-spoons,
a-dozen tea-spoons, and a fish slice—I have seen the
High-street, about a fortnight before the fire—Miers h
have seen four table spoons, and more than half a dozen
say they had a dozen tea-spoons, and four salt spoo
plate, to my knowledge—the lodger frequently compl
last complaint I recollect was very shortly before Mr.
—I cannot tell when he left—I believe it was in
year—the gas was always put out at night—that was
to—it was Miers's custom while I was there always
both in High-street and Oxford-street—I never kn
burning all night while I was at either place—if such
I think I should have known it, because I was gene
extinguished the gas after the shop was closed—he lo
ticularly on account of the smell from escapes—I wa
last Christmas-day—I slept there on Christmas-eve-
Christmas afternoon, I believe—not in the morning
there in the morning in a coach, on my oath, neither
conveyance—he did come, but in no conveyance—I
he came—it was before dinner—he brought not
husband was in Whitecross-street on Christmas-
did not live with me in Surrey-place—my moth
there with me—Miers paid me for my attendanc
20*l.* from the time I went into his employment
I left Surrey-place—I went to Oxford-street in 183
regular payment—I had money as I wanted it, and
them, placed to my account—Miers is a little in m
knew or heard he was going to take the benefit of th
ever heard that my husband was going to do so—I d
filed his schedule, and advertised to do so—I never
had no notion of it—I was not in the habit of going
cross-street—I went once, two or three weeks before h
Mr. Jervis, the attorney—he has lent me money—I
he did so last—it was some time last week—the last
I believe—I had none from him the week before—I
ported entirely by Mr. Jervis, nor principally—I can
have had from him since Miers has been in con
tell where I have been waiting while attending h
shop, I believe—I was fetched from there to come ove
Mr. Jervis has not been in and out to me.

Q. Tell me any other means of support you have
Miers's attorney since the sale of goods to Brooks?

of my own, which I have spent, besides what I received from Mr. Jervis —I got it from my friends, as I told you before—I cannot tell when I got it exactly—I am living with my husband, in East-square—Mr. Jervis has kept me till after the trial, and Mr. Midgley too—he kept us from taking a situation in the drapery business.

Q. With whom? *A.* Any person who would engage us—I have had no situation within the last three months, when I left Surrey-place—I call that a situation—I have had no means of support since, except from Mr. Jervis and my friends—I cannot tell what they gave me.

Mr. Thomas. *Q.* Do you know whether Miers owed sufficient to go through the Insolvent Court? *A.* I cannot tell—I know he owed his brother a considerable amount—I never heard of his being about to take the benefit of the Insolvent Act—I know Ann Wright was taken away by somebody—I have not seen her since.

(*The Court then adjourned.*)

Monday, April 9th.—(Continued.)

Elijah Genna. I am a linen-draper in the Edgware-road. I have known Miers about ten years—I remember seeing him at my house in July last—he came there in consequence of what passed between him and me—I went with him to his shop, at Isleworth, to value, on the part of Miers, some goods that Mr. Midgley was to make over to Miers—I saw an inventory at that time—I do not know where it is now—it was the inventory of the stock at Isleworth—I went to compare the stock with the inventory —not to value it—he took them at the invoice price—the invoice price of the whole goods there, I think, was about 181*l.* or 182*l.*—I am not positive as to the amount—I left the goods there—I have been to the prisoner's shop in High-street—I was there about a fortnight before the fire—I have been in business about four years—I cannot say what the amount of his stock then was—I did not take an inventory—his shop appeared to me to be well stocked—I was there a fortnight before the fire—I cannot fix any date in January—I am certain it was in January—it was not after Christmas-day—I have nothing by which I can fix the date at all—I cannot recollect the day—the shop appeared well stocked.

Court. *Q.* When was the fire, do you know? *A.* I do not know.

Mr. James. *Q.* Was the fire in January? *A.* I do not know.

Cross-examined by Mr. Kelly. *Q.* Are you a linen-draper? *A.* Yes, I am, and carry on business in Edgware-road—I do not keep a large stock —the floating value of my stock is about 1000*l.*—I purchase my stock as I require it, from time to time, at wholesale houses—I was in the habit of going to Mr. Miers's shop occasionally, not very frequently—he was an old friend of mine—I have no means of knowing the state of his trade during the last year—he has had goods from me now and then, that he might want at the time, to save going into the City—I mean to say his dealings have been confined to that—he did not send for large quantities—I had a running account with him of goods I supplied him, and goods I took of him in return.

Q. Now, did he not deal with you from time to time for goods in April, May, June, July, August, September and October, 1837? *A.* Very likely he did—he did have goods about that time—I cannot tell you the times.

Q. Now, look at this bill of yours; I ask you whether he did not buy

small quantities of goods from you from time to time, in April, May, Jun July, August, September, and October? *A.* He did—on the 22nd August and 5th of September he bought several quantities of variot different articles—there were eleven different articles on the 22nd August, and twenty-one different articles on the 5th of September—m bill from the beginning of June to some time in October, amounted 27*l.* 18*s.* 8*d.*, and that was settled by goods, not by cash—I did not s Mr. Miers for about a week after the fire—it was in July that I we to Isleworth to see that the articles were rightly valued—there was inventory made—the agreement that was made between the parties forme part of the inventory—I saw the agreement and witnessed it—the agre ment was separate from the inventory—there was a separate inventory a nexed—the invoice prices were put on the inventory—in my judgment t invoice prices were fair and correct—the inventory was on one long she of paper—they were goods I think that Mr. Midgley had had in Cra ford-street when he began business—I believe the principal part of t goods were purchased from Mr. Walters—I heard that in Miers's presen —I do not know Mr. Walters—Mr. Walters's invoices were produced the course of my inquiry about the value—I do not know what became them afterwards—I have not been at all active in getting up this defen not at all—I have not applied to people to become witnesses—I called two, who I believe are here—they are Mr. Ludlow and Mr. Smith.

MR. JAMES. *Q.* Just explain what you called on them for? *A.* called on them to speak to Mr. Miers's character.

MR. KELLY. *Q.* What is the Christian name of Mr. Smith?—*A.* I not know—he is at the Bazaar in Baker-street.

MR. JAMES. *Q.* Just look over the invoice, and state, as far as you ca the whole amount of goods Mr. Miers had from you between April a October? *A.* This is the sum total—27*l.* 18*s.* 8*d.*—from June to Octob that amount of goods passed—I was paid in goods—it is usual for tw drapers to barter goods instead of money—there is no item here lar enough to give an order for to a wholesale house—when one draper h not goods by him which a customer applies for, another draper supplies th customer—that is frequently done—I recollect going to Miers's hou for a strip of black merino about a fortnight before the fire—I got the meri I wanted—he had a quantity of merino—there were a quantity of ri bons in the stock at Isleworth.

DAVID DAVIES. I am sometimes employed as a messenger at Whit cross-street prison—I carry messages for the turnkey—he gives them me. On the 19th of January I remember taking a letter to Mr. Mier shop in High-street, Marylebone—I believe this to be the same letter (*looking at it*)—I brought back 18*s.*, which I gave to the turnkey, w had given me the letter, to be given to Midgley—I was brought up as linen-draper—I went into Miers's shop when I took the letter there— appeared to me as shops are generally—if there had been a remarkab deficiency in the stock I should no doubt have observed it—I did not o serve any thing remarkable.

Cross-examined by MR. KELLY. *Q.* I presume you did not read th letter? *A.* No, it was wafered—Mr. Miers's shop was rather a small o —it might be about twenty-four feet by fifteen—it is twenty-six or twenty seven years since I was in business as a linen-draper.

GEORGE SKINNER. I am a dyer and scourer. I used to call at M

Miers's on business—I first knew him when he was in Oxford-street—I was in the habit of calling at High-street from the time he went there up to the time of the fire—the last time I was there was on the Saturday, as the fire took place at night—I called for work—dyeing—I generally called once or twice a week—I did not call with a cart that day—I could not take any thing away with me that day—I said I would ask first, and if there was any thing I would take it on my return, as I was going into the City—it was on that Saturday that Mr. Murphy said would be the coldest day—Saturday was the day of my being in London—I recollect its being a very cold day, by riding outside an omnibus—Miers said if I came by that way on my return I might call in, and he showed me some goods, which he said were in a very bad condition, and wanted dying—the shop looked as full as ever I had seen it—I had often been into the shop, and if there had been much difference I should have seen it—I had often observed that the shop was very well stocked for a small shop—I saw no difference—if there had been any material difference I must have seen it.

Cross-examined by Mr. Doane. *Q.* Where do you carry on business? *A.* In Crawford-street—I have been there, I think, about three years and a half.

Mr. Thomas. *Q.* Did you call at Miers's again in the evening? *A.* Yes—I should think it was more than seven o'clock—it could not be eight o'clock—I took away the goods to dye—I saw the prisoner himself—I took away some common merinos that wanted dyeing, with plaid shawls, and a few handkerchiefs—he was particular in beating me down as to prices—being common articles, he said the merinos would not fetch more than 18*d.* a yard, if perfect—they were very poor goods.

Mr. Doane. *Q.* Do you keep the whole house in which you live? *A.* I have a lease of it for twenty-one years—I let out a part—I let out the first floor room furnished, and the whole of the second unfurnished—it is an eight-roomed house—there is no attic—the only part I occupy as a dyer and scourer is the ground floor—there is an area and a large yard—I occupy the two kitchens, which I have knocked into one, and made a large workshop of it—that is under ground—there is a large yard in the rear of the premises—the dye-house is there—that is merely a shed over part of the yard—that is part of the premises, which I use as dyer and scourer—I reckon I keep two or three men regularly—I had two working to-day when I left home—I have been in the habit of calling on Miers for work—we sometimes employ as many as twenty females, and at times as many as thirty, in making shawls—when I have called on Miers on business, I have generally taken goods away that were so soiled that it was necessary to have them dyed—he never gave me any thing that was not wanted to be dyed—I should say that it was after twelve o'clock that I first called on Saturday—it might be one o'clock—I think it was before two o'clock—I saw Miers himself.

Mr. Thomas. *Q.* What time did you set out from home? *A.* Mr. Miers's was the first place I called at—it is not above a quarter of a mile from my house—I think I started after twelve o'clock—I occupy as much of the premises as is necessary for business—only the under part of it—I sleep in the parlour—mine being valuable goods, I sleep there for protection—I have lived there about three years and a half—merino becomes faded by being kept, and requires dying to make it saleable—I really cannot tell the value of the goods I took away—perhaps they were worth 6*l.*

Elizabeth Wells. I live with Mrs. Whipple, in Crown-court, Al-

dersgate-street. She is a stay and corset maker—she supplied Mr. Miers with stays—I was in the habit of going to Mr. Miers's shop in High-street—I was there about ten days before the fire—I do not know when the fire was—I went with four pairs of stays—I stopped about an hour, and brought back an order for a dozen pairs—the shop was not different to what I usually saw it—I had been in the habit of going there since May, 1837, about every fortnight—I did not notice any silk cloaks there particularly—there were merino cloaks—the cloaks were on stands—my attention was not directed to silk cloaks particularly

Cross-examined by MR. KELLY. *Q.* Does Mrs. Whipple carry on a large business? *A.* Not very large—she keeps her books and accounts herself—it was about ten days before the fire occurred that I had the order to make the stays—they were never delivered.

WILLIAM WALTERS. I am town traveller to my brothers, they carry on business at No. 7, Wood-street, Cheapside, they are wholesale dealers in lace and ribbons. I have known Miers about eighteen months—we have done business with him longer than that—they were not large dealings—he continued to deal with us up to just before the fire—I remember dining with the prisoner at High-street, on the Thursday before the fire—the shelves were full, and the shop dressed out in the usual manner—I did not make any observation respecting the stock—it appeared to be well-stocked—I really did not take notice whether there was any silver plate at dinner—the table appeared in the usual way as when I had dined there before—there were spoons—I did not notice what kind—I do not know what the spoons were made of—after dinner I know I had a silver spoon in some gin and water which I took—that was a small tea-spoon—I had dined there before.

MR. KELLY. *Q.* Are not the particulars of goods you furnished as follows?—(*reading*)—1835, October to November 10th, 15*l.* 19*s.*; November 12th to February 11th, 1836, 20*l.* 0*s.* 7*d.*; March 3rd to April 5th, 49*l.* 4*s.* 7*d.*; May 9th and 12th, 34*l.* 12*s.* 11*d.*; then in the course of 1836, while he was in Oxford-street, five sums, 23*l.* 1*s.* 3*d.*, 21*l.* 7*s.* 9*d.*, 34*l.* 5*s.* 7*d.*, 38*l.* 19*s.* 3*d.*, and 10*l.* 16*s.* 10*d.*; and in 1837, February 21st to March 2nd, 15*l.* 9*s.* 2*d.*; April 4th to May 18th, 32*l.* 9*s.* 4*d.*; May 23rd to July 18th, 15*l.* 16*s.* 2*d.*; August 8th to September 12th, 15*l.* 15*s.* 9*d.*; and September 26th to December 12th 18*l.* 14*s.* 2*d.*, making about 90*l.* from April 4th to December 12th? *A.* I should suppose that would be about the amount.

MR. PAYNE. *Q.* Do you know whether your brother sold any goods to a person of the name of Midgley? *A.* Yes—Mr. Miers opened some drawers before the fire happened, and showed me some shawls—they appeared to me to be rich, handsome ones—there were about four or five wrappers of them—there were some of them I should say worth from 40*s.* to 50*s.*—others not so much—I did not look particularly at them, but one I took particular notice of—this was in the winter—I should say it was about a couple of months before the fire that the drawers were opened—they would not be visible to persons coming into the shop.

Cross-examined by MR. CLARKSON. *Q.* Were the wrappers undone for the purpose of showing them to you? *A.* Yes—they were taken out of the drawers, because Mrs. Miers was asking him for a shawl, that was the cause—I think I know a plated spoon when I see it—the spoon I had in my grog was a silver one—I had no necessity to

examine it when I had it in my hand—I can tell by the feeling or handling of it—I saw it with my eyes—I think there is a small account between the prisoner and my brothers—I have no doubt of it—I should think the amount of it is from 10*l.* to 13*l.*, not more than that to the best of my knowledge—I cannot tell when I last received money on account, because I have not seen the books—there was generally bills drawn—I cannot tell whether any bill became due or any money was paid since January last, without fetching the books—I was not told to bring the books here with me—my brother is not here—I know what are called dummies in the trade.

Q. Are you able to distinguish, by walking through a linen-draper's shop, how much is real stock, and how much is "dummies?" *A.* You may judge what portion of them, but unless you look minutely you cannot tell —I did not examine the shawls so very minutely—I merely took them up in my hand, to examine the quality—they were black grounds, with shawl borders—what are called filled shawls—they were filled half a yard square —they were filled shawls—I mean by that they were worked in the middle —I did not see the middles of them—I cannot say whether they were worked in the middle—I saw the work was on the fold—I do not think there was any border—I did not see the middles of them, but they were worked, with silk and cotton, I suppose—there was a pattern on them—of course I cannot tell what—I can tell the difference between a plain shawl with a worked border and a filled shawl—they were filled shawls, with work all over—I did not look minutely into them—I do not know when I was first told I should be a witness—I cannot recollect—the subpœna was sent over to me on Friday morning, at half-past six o'clock —about a fortnight before they said perhaps I might be wanted—perhaps before that—it was when the trial was coming on—but I was not subpœnaed—my brother lives at the warehouse—I am the traveller—my brother is in town now—I never heard that he was subpœnaed—he is at the warehouse—I supplied goods to Midgley—I cannot say when that was, without the books—it was about when he first commenced business in Crawford-street—we understood from Mr. Miers that he had got property—we supplied him with goods on that representation.

Q. Just look at that plated spoon; was that such a one as you had in your grog? *A.* I should think not—I cannot tell whether it was such a shape as this—I know it was silver from handling it—as far as I know it was thinner here—I have said that it was stouter, and slanted off here—that is not the sort of spoon—I will swear that it is not the spoon—we have never been paid our account from Midgley—I cannot say what the amount is—somewhere near 100*l.*—I believe no part of that has been paid—I have not seen Mr. Jarvis since the prisoner has been in custody, nor anybody else—I cannot say whether my brother has, but I should think not—my brother has no security for Midgley's account, nor any bill—I left the goods without taking any bill from him—I have never applied for a bill since—I do not know one Clark, as connected with this transaction—not concerning Midgley's goods.

Q. Now do you mean to tell us, on your oath, that you have not learnt, since this man has been in custody, that if he was convicted, you would never get your debt, but that you will get it if he is not? *A.* Certainly not, not from anybody—such a statement has never been made to me, nor to my brother, that I know of—I never heard it—this is the first time

I have heard it—I have not taken any pains, since the prisoner has been in custody, to obtain our debt from Midgley—the goods were supplied to Midgley six months ago, I should think—I should think he is not worth a farthing—I had no notice from him, nor saw any advertisement from him, that he was about to take the benefit of the Act—I never could see him for some time—I looked after him after the shop was closed—I am not aware that the goods sent to Midgley went to Miers—I have no doubt some of them might—I cannot say that the greater part did—I have inquired of Miers—I do not know from Miers that he has had the goods I supplied Midgley with—I will swear he has not told me so—I applied to Miers for me to see Midgley—I applied to him, because if Midgley did not open, he (Midgley) had better let me have the goods back—I was not aware that the goods had been sent to Miers—I did not follow them—I have not seen them at any time—I never went there to see them—they were gauze ribbons and lace goods, to the amount of 100*l.*, and plain ribbons—there were three or four sorts of ribbons—I could not tell, without I saw the book, what there were—I was never at the shop at Isleworth, or at the shop in Surrey-place—I never knew there was one there till I heard of the goods being taken from there—I cannot recollect who I heard that from—it was talked of in the trade—I did not know it from Miers nor from Mr. Jervis, to my knowledge—I have never talked to Mr. Jervis about it, nor about the goods there—I knew the goods were sold to Mr. Brooks, in the Borough—Mr. Brooks told me so—I think he told me he bought them of Mr. Jervis.

Q. Were you on intimate terms with Mr. Miers? *A.* I was as intimate as most of the other customers. I called there—I have dined there two or three times—it has happened when going round there, that he occasionally asked me in—he did not tell me that the shop Midgley was to take in Crawford-street was to be his, (Miers's,) or that Mrs. Midgley was to carry it on for him—I never heard him say that he had taken another shop in Surrey-place, and another sister was to carry that on for him—or that he had opened a shop at Isleworth, where he had sent another sister to take charge—he never disclosed that to me—I did not know Midgley was under age when I supplied him with the goods in Crawford-street—I saw he was young, but I thought he was of age, of course, by his appearance—I thought he looked of age—if I had known he was not, I certainly should not have supplied him with goods—I became acquainted with him by his being at Mr. Miers's—Mr. Miers did not tell me he was under age.

Q. Had you any means of judging of his solvency except what you got from Mr. Miers? *A.* No, except what Midgley said himself, that he should have from about 400*l.* to 600*l.*—Mr. Miers confirmed that—I heard in the course of the winter that Midgley was in Whitecross-street—that opened my eyes that we should never get paid for the goods—I felt satisfied of that—I did not go to the prison—I saw Mr. Miers soon after—I cannot say the day—it was my regular round to call—I said to him, "Mr. Miers, you told me that man was a man of property, and confirmed his own statement of having 400*l.* or 600*l.*, and you have let us in for 100*l.*; it is very odd"—I was aware before that that we should not be paid, but I did not express my surprise to Mr. Miers—Mr. Miers told me that he was in prison when I called on him—I expected before that he was insolvent, because we did not get our money for our account—I called in Crawford-street, and found he was gone—I found the shop shut up—that was the first intimation I

had which made me doubt—I believe I called on Miers from Crawford-street—I cannot tell when that was—it was soon after he was supplied with the goods, in the autumn—I asked where he was, and Miers said he did not know—he did not tell me he had served in his shop, and had continued to serve there the greater part of autumn—it was a very short time before the fire that I learnt he was arrested—let me see, it was about a month before the fire, but I do not speak positively—it is not my duty to keep my brother's accounts, or to know what sums are paid, that is the clerk's duty—his son knows what sums were paid—he is in town.

Mr. Payne. *Q.* Was it any part of your brother's practice to go round to the different shops? *A.* No, he would know nothing about the prisoner's stock—I understood Midgley to represent that he should have the 400*l.* or 600*l.* from an uncle—he told me his uncle was about receiving his rents, and he had a bill—that was not in Miers's presence—it was up at his own place—I understood from him that he was to obtain the money by a bill of his uncle.

Q. Do you know whether it is the practice to have "dummies" in upper shelves of linen-drapers' shops? *A.* If they want filling up at all—the gas smokes the goods on the upper shelves.

Q. Do you know whether it is the practice to have shops in different parts, and in different names? *A.* Some houses do open one or two houses, if they are in extensive business—if I had the least doubt about the spoon I used being silver, I would not swear it—our accounts were generally paid by bills—Glover was the name of our clerk—he has left us now, but I dare say we could find him—bills could not have been dishonoured by Miers without my knowing it—I should not have gone on dealing with him if his bills had been dishonoured—we should have made further inquiry—we always considered him a very respectable man—I sold the goods to Midgley, at his house, in Crawford-street—some part of them were sold in our warehouse, and were sent to Crawford-street.

Mr. Kelly. *Q.* I have just read that the goods supplied between April, 1837, and December, 1837, both inclusive, amount altogether to about 82*l.*, is that about the amount of goods with which your house supplied Miers between those periods? *A.* I cannot say to a certainty, unless I could see our ledger—a tradesman would keep up his stock, and not be quite out of an article.

John Govier. I am a draper's assistant, but am out of a situation at present. I once lived with Mr. Miers, in Oxford-street—I went to him in the latter part of January, 1837, and left in April the same year—I went with him to High-street—I assisted in removing the stock from Oxford-street to High-street—I remained about three weeks in his service in High-street—he removed from Oxford-street on the 25th of March.

Q. About what was the value of his stock when you were with him in Oxford-street? *A.* Between 2000*l.* and 3000*l.*—I was not there when he took stock—he had about the same value of stock when I left him in High-street, as when I was in Oxford-street—I went to live with him again in the month of June, and remained about a fortnight or three weeks—during all the time I was with him, he replaced the stock he sold, by other purchases to keep it up—the stock was about the same the last time I was with him in July, 1837—I should say there was no sensible diminution—the value of the stock was from 2000*l.* to 2500*l.*—I should say, when I left the value

of the stock was 2500*l.*—it was considerably above 2000*l.*—it consisted of a general assortment of drapery and haberdashery—there was stock in the counter-drawers—there was one or two nests of drawers in the shop which also contained stock—those goods would certainly not be seen in coming in, but as shopman I had the opportunity of seeing their contents, and I speak from that knowledge.

Cross-examined by MR. KELLY. *Q.* How long have you been out of a situation? *A.* Three months—I have lived all that time at one place, at the Cross Keys public-house, Theobald's-road—I have lived there eight weeks—before that, I lived in Berwick-street, Soho—I was first applied to on this subject last Monday—I heard of the fire the day after it took place, and saw in the papers that Mr. Miers was apprehended on this charge—I saw the proceedings before the Magistrate.

Q. Did you not immediately go and give information to somebody of what you knew about it? *A.* No, I said nothing at all—I heard of the prosecution, but not that I should be wanted—I had no application made to me until Monday—Mr. Midgley then applied to me—I have seen him once or twice since then—I have seen Mr. Jervis—I have not received any money for coming here—I was subpœnaed, and received 1*s.* with my subpœna—I do not know how much I am to receive—I have not had any conversation with Mr. Midgley, Mr. Jervis, or anybody about what I was to receive—Mr. Miers's stock was removed from Oxford-street just previous to the 25th of March—I left about the middle of April, I believe, I cannot say on what day.

Q. What wholesale houses did Mr. Miers deal with in March or April? *A.* He dealt with Mr. Walters, in Wood-street—the others I do not know—there was a supply of what was necessary for the stock, between the time of his removal from Oxford-street and April, when I left—I do not know where it came from—I cannot swear to what extent goods were supplied then—I went to him again, early in June, and left at the latter part of June, I believe—Mr. Miers was ill when I went, and I merely went till he was well again—I cannot tell the names of other wholesale houses from which he received goods during the month of May or June—I did not know that he was going to open a shop at Isleworth—I knew that Midgley was going to set up shop for himself—I have known Midgley for the last five years—I had not seen him for two years previous to going to live with Mr. Miers in Oxford-street—I first knew him in 1833—I did not know his age—I heard he was under age—I have heard he was not above eighteen or nineteen.

Q. Did you know that Mr. Miers procured him credit by recommending him? *A.* I know nothing of that—since I have been out of a situation, I have lived partly on the money I had when I was in a situation, and partly by remittances from friends—the last house I was in was in Payne's, in Exmouth-street, Clerkenwell—I left them in December, from illness—I saw Midgley last on Saturday.

MR. THOMAS. *Q.* When you say Mr. Miers's stock was worth from 2000*l.* to 3000*l.*, do you mean the stock generally, independent of any occasional supply? *A.* That was the general value of the stock—there was a warehouse besides the shop, at the back part of the house—at the end of the time I was there, there was a quantity of stock in that warehouse—I did not see any in a closet—I was not acquainted with the up-stairs

part of the dwelling-house—not the whole of it—I have been over the house—I did not see the invoices when goods were sent—I had nothing to do with that.

WILLIAM JOHN WARREN. I am a linen-draper, and have been so more than twelve years. I am not in business on my own account—I went to live with Mr. Miers when he first opened his shop in Oxford-street, in 1835—he left in March 1837—I was not with him the whole of that time—when I first went I should imagine the value of the stock was upwards of 3000*l.*—I did not assist in the removal of his goods to High-street, but I remember his leaving Oxford-street perfectly well—I was living with him two or three days before he left—I should say the value of his stock then was between 2000*l.* and 3000*l.*—I had opportunities of judging—I should suppose I am able to form an opinion of stock of that kind, and I formed that estimate a few days before he went to High-street.

Cross-examined by MR. KELLY. *Q.* Are you now in any business? *A.* I am not—I have been out of a situation between two and three months—I was with Mr. Miers upwards of two years, but I had left him for two or three months in that time, and came back—he had five or six assistants generally, besides himself, in Oxford-street—sometimes more and sometimes less—he did a very good business there—I cannot give you any idea of the size of the shop—I have been in the shop in High-street, but not to take its dimensions—I should say the shop in Oxford-street was decidedly the largest of the two—he dealt with Mr. Walters while in Oxford-street—I do not recollect who else—he did not do much with Pawsons, I think—I was not a buyer, and had nothing to do with the invoices—I had 80*l.* a-year, and board and lodging.

Q. Can you give me any idea how much per day or per week you took in Oxford-street, over the counter? *A.* No—some days we took much more than others—I had nothing to do with taking the cash, nor checking the cash, and I cannot say—there was a cashier in the desk—he was some lad—I do not recollect his name—I have often lived in houses with lads and young men, and did not know their names after being in the establishment two or three months.

Q. You cannot tell me whether it was 10*l.* or 50*l.* a day, or what? *A.* No—I have known the time when we have taken 50*l.* a day, and more than that—I do not know that Saturday was a better day than others—we generally consider it a good day, but, for Oxford-street, Monday it considered the best day—I cannot say whether I have known as much as 70*l.* or 80*l.* taken in a day—I cannot say whether 50*l.* would be a fair average—I had nothing to do with the books.

MR. BALLANTINE. *Q.* You merely sold the articles which people came to ask for? *A.* If a customer came, I was to make the best I could of of them—other people served in the shop—I do not remember Gattrell being in the service—the stock was made up, in comparison, with the sales—Mr. Miers was in the habit of going into the City two or three times a week, and always bought largely—I might have been engaged with a customer when goods came—I have on many occasions seen goods delivered from the City—there was a considerable sale of goods in the shop—we did a very good business—four or five assistants were required—if his sale was smaller, of course, less assistance would be required—the assistants were not to look after the stock, but after the customers—if the sale was less, but the stock as large, the same assistance would not be required.

WILLIAM WALTERS *re-examined by* MR. PAYNE. I have my ledger

here now—it was not kept by myself, but by the cle
Christmas—I have another ledger which was also ke
referred to the book since I was examined, and tu
from April to December last year.

MR. KELLY. *Q.* Cast your eyes over it; I will give
can tell me whether they substantially correspond—(r
April 4th to May 18th, 1837, would it be about 32*l.*
would be near the amount, some goods having bee
have been 41*l.* odd—from the 23rd of May to the
be exactly 15*l.* 16*s.* 2*d.*; and from the 8th of Augu
tember it would be 15*l.* 15*s.* 9*d.*—from the 26th
12th of December it would be 18*l.* 14*s.* 2*d*; and o
3*l.* 19*s.* 10*d.*—that is the last sum.

COURT. *Q.* Is the whole of that still due? *A.*
goods is due.

MR. KELLY. *Q.* I think I see something abo
April, 1838? *A.* Yes—that is in my brother's han
have all been paid for, except those had from the 26
2nd of January—part was paid on the 4th of Janu
November, and part on the 4th of September—we
4th of January this year—this bill was due on th
drawn in January—it was only returned last week
4th of January was for the 15*l.* parcel—the returned
—it was given for goods sold on the 26th of Sep
payment at the same time besides.

GEORGE SMITH. I lodged in the prisoner's l
Marylebone—I went there about the beginning of
June—I occupied two rooms on the first floor,
second, and a back kitchen—I furnished the lodgi
furnished—I left about the beginning of October—
there I complained on several occasions of the effluv
complained of it within a day or two of my tak
I recollect the gas-fitter being sent for—I com
immediately, and he said he had sent—the gas
about a week after—that was Mr. Defries—he
self more than once—his man came afterwards two
quite sure it was three times in the whole—I a
it was remedied entirely—I cannot recollect—I do
at all from any escape of gas after the man had bee
complaining of any smell after that.

Cross-examined by MR. KELLY. *Q.* When did t
time? *A.* About the middle of September, as nea
not had any acquaintance with Mr. Miers since I le
I was first applied to to become a witness this da
certain—I believe a clerk from Mr. Jervis applied t
plied to me a month ago—I understood you to m
applied to appear here—Mr. Genna did not apply
he asked me if I would come forward.

Q. What made you leave the prisoner's lodging
lodging till I found a house to suit me—I was ther
to four months—I had the first floor, and a back ro
—those rooms I furnished myself—I took my furn
—there was a shopman, Mr. Miers, his wife, a boy

Midgley, in the house when I left—I believe Mr. Midgley lived there while I was there, but I am not sure of it—I think I have seen him there.

MR. JAMES. *Q.* About Mr. Genna's application to you, he asked you to come forward on the trial? *A.* Yes, and then I was subpœnaed.

WILLIAM WALTERS *re-examined.* I have Midgley's account here.

(*This account being referred to, was for goods supplied from the 8th of June to the 24th of June*, 1837; *total amount*, 127*l.* 10*s.* 11*d.*; *credit by returns*, 1*l.* 13*s.* 9*d.*; *balance*, 125*l.* 17*s.* 2*d.*)

GEORGE TILL. I am an assistant to a draper, and live with Mr. Rout, in Oxford-street. I did live with Mr. Miers, as shopman, in Oxford-street, in June, 1836—I did not go with him to High-street—I have been in his shop in High-street twice—I should think the first time was about five or six months ago—I observed the state of his shop at that time, and it appeared very well stocked—I saw it again about a fortnight or three weeks after, and it appeared the same—I have never been since—I could not form any notion of the value of the stock, for I was not in the place five minutes.

Cross-examined by MR. KELLY. *Q.* The last time you were there, what month was it in? *A.* I really do not know—I cannot say whether it was in September, October, or August—I had some lace-goods to part with, and called there to sell him some, if I could—he was not within, and I went out directly—I went on the same errand the time before, and he was then up stairs, unwell—I staid there about three minutes—I left directly I found he could not see me—I live now with Mr. Rout, of Oxford-street—it is not a large shop—he keeps ten or twelve assistants—Mr. Miers kept four or five, while I was with him—he had a very good trade while I was there—I cannot give any idea of the amount of the sales each day—it is some time ago—Mr. Miers was up stairs, unwell, when I called in High-street—I cannot say whether he was in bed—I cannot tell whether that was in June—I cannot say it was not.

FREDERICK BOND. I am a draper's assistant, and live with Mr. Clarke, of Oxford-street. I have lived with him since I left Mr. Miers, which was in March, 1837, when he left Oxford-street—he took stock in August, 1836—I cannot call to mind what the amount of stock was, but Mr. Rickards has the stock-book in his possession, which is in my handwriting.

Q. Whatever it was, was the stock kept up to about the same amount, up to the time of your leaving? *A.* I cannot say for a certainty, but Mr. Miers and other parties were in the City—I should say the amount of stock at the time he left was about the same, because he was buying continually, more or less—I should not say it was more.

Cross-examined by MR. KELLY. *Q.* Can you tell at all what was the amount of his sales per day? *A.* No—no young man can tell you that, because he had a cashier—I think his name was Barlow—I have not seen the cashier for this twelvemonth.

ROBERT MARKS. I am a silversmith, and carry on business at No. 123, Oxford-street. I know Midgley by name, and since I have been here I recognise him as having purchased a child's coral of me, with bells attached to it, about nine or ten months back—I should most likely know it again, for there was a private mark on it.

Cross-examined by MR. KELLY. *Q.* Perhaps when you were here you saw it on the table? *A.* No, I did not—it was a coral with silver bells.

MR. JAMES. *Q.* Did Midgley buy a wedding-ring of you? *A.* He did, rather more than ten months ago—I think it was hardly so long as January, 1837, but it may be.

EDWARD ANSTEAD. I am clerk to Morley and Co., of Gutter-lane, wholesale drapers. They had business-transactions with Mr. Miers—at the latter end of December last I called at his shop for the account, and received the money from him—it was 4*l.* 6*s.*—I had, previous to that, been to his shop, and received money—I was there on the 30th of November, and received 23*l.* 4*s.* from him.

Q. Did you, on either of those occasions, observe the general appearance of his shop, as to the stock? *A.* I have no doubt I did, but I have no very particular recollection about it—I had been in the habit of going there before—he dealt at our house from December, 1835, up to January last—in the year 1837, he purchased at our house to the amount of 99*l.* 19*s.* 2*d.*—the whole of that was after March—those goods were sent to High-street, Marylebone—he owes us 6*l.* 17*s.* 10*d.* now—all the rest has been paid—from the end of December, 1835, to the end of 1836, he bought 322*l.* 13*s.* worth of goods—and on the 19th of January, this year, he purchased 1*l.* 18*s.* 10*d.* worth.

MR. KELLY. *Q.* Do you recollect what those goods were on the 19th of January? *A.* No—I did not deliver them—I am speaking from a journal.

DANIEL CLUTTERBUCK. I keep a coffee-house, in Great Castle-street, Regent-street, it is very near Oxford-market. Castle-street, east and west, crosses Oxford-market—my shop is on the other side from John-street to Regent-street—there are very few houses from the market to John-street—I have kept my shop there nearly two years—I know a person named Midgley, who sometimes used to come to my house—I have seen him to-day—he is the same man that used to come to my shop—he, on one occasion, left a parcel at my house—I cannot recollect when it was—I should think it was about January, but I really cannot say, for I never dreamt of being asked the question—I perfectly recollect his calling, and leaving a parcel—he had not left a parcel before—I believe he fetched it away the same evening—I am positive he had one parcel, and I believe two—I did not know his name at that time—he might have known mine, as it was on a brass plate on the door.

Cross-examined by MR. KELLY. *Q.* What was written on the brass plate? *A.* "Clutterbuck" only—my house is on the north side of Oxford-market—it is No. 34—I call my address, "34, Great Castle-street, Regent-street"—I have a board over the door stating it is a coffee and chop-house—I have kept it nearly two years—I cannot state positively when I first saw Midgley, but I believe it was either in December or January—he came for refreshment—he did not give his name—I never heard him say who or what he was—I cannot say exactly that the parcel was left in January, but I believe so.

Q. When were you first applied to, and asked any thing about the parcel? *A.* This morning, never before—Midgley and the attorney's-clerk, as I understood, came to me—the clerk presented me with a summons, and said he wanted me to come to the Old Bailey to give evidence respecting a parcel which Midgley had left at my house—he did not tell me when the parcel had been left, nor about the time—they wanted me to go with them, and they would go in a cab or omnibus—nobody lives at my shop but myself—there are lodgers, but I have nothing to do with them

—until this morning I did not know the name of Midgley—I never heard it—I did not know what he was—there are several town-travellers come to my house from the City, and carry brown paper parcels in their hands, and the parcel he left was similar to those—it was larger than that book, half as large again I should say—it was done up in brown paper—he merely asked permission to leave it for a while—he left it, it might have been an hour, or an hour and a half—I cannot tell to an hour—he fetched it away the same evening—I really cannot swear what month it was in—I do not fix the time at all—it was certainly not February—town-travellers come for refreshments, walk out, leave their parcels, and come back again and take them—that is a frequent practice—I do not know Mr. Miers.

Q. If I understand you, you say parcels are left, and the same person who leaves them comes and takes them away? *A*. Exactly so—I am not in the habit of receiving parcels directed for other people—if a traveller brings a parcel I would not give it up to anybody but himself—the practice is, if a person does not wish to take a large parcel, they leave it, and call for it again.

Mr. Thomas. *Q*. Is it not very common for a person to leave a parcel if they wish to go any where? *A*. Yes—if I know the person I allow them to do so—I have not, from that time to this, seen anybody respecting my coming here—I have not seen Mr. Jervis till to-day, to my knowledge—nobody has applied to me before to-day—we take in newspapers at our shop—I recollect Miers being brought before Mr. Rawlinson—that will not bring the time to my recollection—it was before that, I am certain—I have no motive whatever in coming here to-day—I am positive Midgley is the person who left the parcel.

Court. *Q*. Do you know the coffee-shop kept by Higgins? *A*. I know several in the neighbourhood—I do not know the man himself—I do not recollect the name—I do not know Wood's coffee-shop—my shop is a very short distance from No. 13, John-street—I should say within 100 yards—I do not know No. 118, Great Titchfield-street—I know Great Titchfield-street—I do not know the coffee-shop kept by Wood there—I do not know which way the numbers run—the part of Titchfield-street nearest to my house is at the top of the market where the street begins—the north side of the market—I should say the beginning of Great Titchfield-street is 300 yards from my shop—the market is about half the distance.

Joseph Smith. I am a plumber, painter, and glazier, and carry on business in Woodstock-street, Oxford-street. I was employed in August, 1837, to paint and varnish the front of Mr. Miers's house—that was the last I did to it—I have not received orders to do any thing since that time, but in August I received orders to compo or repair the front, and put up Mr. Miers's name, but I did not do it in consequence of the weather, the compo not being dry enough to paint—it has never been done—the last time I was in the prisoner's shop was on the 10th of November—I merely went there to order some goods to be sent to my house, and he said he wished, as soon as the compo was ready, I would finish it, and put up the name—I told him the compo was not dry enough, and I did not do it—I did not see him about any thing after that—I was never in the shop after the 10th of November—the goods I ordered then were sent home—I cannot recollect what they were—I have dealt with Mr. Miers some time, and have been in his shop several times—I painted it in

March, 1837, before he moved into it, and I did something again t
August.

Q. From the view you made of the shop in August, what wa
opinion of the stock? *A.* I am not a judge of linen-drapery—th
appeared as well stocked then as it was when it was opened—I d
notice any alteration or diminution.

Cross-examined by MR. KELLY. *Q.* How long were you in th
in August? *A.* I painted the outside—there was nothing to call
tention to the stock—I cannot say what my bill was—I painted the
in March, three or four times over, and finished it in August—in
I gave it a coat of paint, and varnished it—I made two charges for
one charge for the whole—the last charge was between 2*l.* and 3*l.* I s

Q. What is this about the compo? *A.* When he took the
there was a name with the letters projecting—he wished them cu
from the compo and filled in, and then, when dry, his own name pu
that was in August—I employed a man to do it, but the work was
enough—Mr. Miers applied to me in November to finish the wor
I went to his house to order goods, and he sent to my house onc
wards for me to paint it, which I did not do, in consequence of the
—the letters were filled up in August.

MR. JAMES. *Q.* In November was it Mr. Miers spoke to you
or you to him? *A.* Mr. Miers spoke to me—leaving it unfinished
vember was my neglect—in fact, it was not dry enough to paint.

MR. KELLY. *Q.* When were you called on to come here?
Tuesday last.

THOMAS COLLINE BENNETT. I am in the house of Caldecott and
Cheapside. Mr. Miers was in the habit of dealing with them sinc
ber, 1835—he opened his account then—I have a statement
two bills which he accepted for goods—I cannot tell what amount
were supplied, but those bills were accepted for the goods—there
bill he paid on the 4th of April, 1837, of 36*l.* 18*s.*, and on the 26th
there was paid with cash 12*l.* 11*s.* 6*d.*—there was no more in 18
have no transactions after that, but several previous—I cannot te
goods were sold in 1837—the paper I have is merely an account
paid us.

Cross-examined by MR. KELLY. *Q.* Can you undertake to say,
own knowledge, that any goods at all were supplied to him by you
after February the 17th, 1837? I am not asking about bills,
they might be for past debts. *A.* Yes, the bills were for pas
—I should think so—I do not know of goods being supplied a
17th of February, 1837, but I could inform you if I had the books.

Q. Do you know whether the goods in the former years were s
under a guarantee, which was withdrawn in 1837? *A.* The goo
supplied under a guarantee—I cannot say when it was withdrawn—
when the account commenced we had a guarantee.

JAMES SEBASTIAN YATES. I am in the house of Coster and C
merchants, and general warehousemen, in Aldermanbury. Mr. Mie
with them—I cannot say when he began, but I think it was in 18
continued dealing with them down to the time of his premises bein
down—I cannot tell, without referring to books, to what amount
with us during the year 1837, nor in any other year—I believe a st
of the account has been given, which you can refer to—(*looking at a p*

this is not my writing—I do not belive it is the writing of any one in our house—there are two partners in our firm at this time—a copy of the account has been furnished, and if that is in Court, I can swear to its being a copy of the ledger—it was given both on behalf of the Insurance-office and of the prisoner—I examined it from the books myself.

Q. Look at this statement, and tell us how much you supplied in 1835? *A.* About 369*l.*

Mr. Kelly. *Q.* I find I have a copy of the account, furnished to the Insurance Office; it begins in October, 1835? *A.* Yes—the amount in October, and part of November, is 316*l.* odd—the amount of goods kept was 245*l.* 15*s.* 2*d.*—the whole amount supplied in 1835 is 369*l.*, deducting the returns—in 1836, it was about 740*l.*, and down to March 25th, 1837, it was 22*l.*—and from Lady-day, up to January, 1838, it was 260*l.*—those were the last goods sold.

Mr. Thomas. *Q.* In speaking of those amounts, do you account for any goods returned, in speaking of the 740*l.*? *A.* That is independent of the goods returned—we have been paid for every thing, except the last goods, which were sold in December, 1837, and January, 1838—the amount of the last supply, in December and January, was 36*l.* odd—7*l.* in January, and 19*l.* in December—those goods should have been paid for on the last Thursday in January—that was after the fire—there has been no failure of payment whatever, when due.

Mr. Kelly. *Q.* Do you know that your house, down to the time of his leaving Oxford-street, supplied him with these goods, under a guarantee? *A.* They did—that guarantee was withdrawn in April, 1837, and after that we supplied him with goods from one month to the other, he paying for each month—we did not extend our credit beyond one month's account—the amounts go on diminishing after July and August—the amount in August was the largest after March—but after that time they go on diminishing till we come down to January.

Mr. Thomas. *Q.* Do you consider High-street as good a situation for the sale of goods as Oxford-street? *A.* I should say for a lower class of goods.

Mr. Kelly. *Q.* Do you know Midgley? *A.* We do not—I believe Midgley wished us to supply him with goods—I know from the people in the house that a 410*l.* bill was offered—I do not know it myself.

Mr. Thomas. *Q.* Did you offer yourself to do business with Mr. Miers in the way stated—to give him a month's credit? *A.* We did.

Mr. Kelly. *Q.* Is this your invoice for the last goods? *A.* Yes—we usually deal for a bill at three months, from the first of the following month, but when the guarantee was withdrawn, we agreed to let him have credit to the end of the month.

Mr. Thomas. *Q.* Do you allow discount for those sort of dealings? *A.* Yes, one and a quarter per cent.

—— Rand. I am clerk in the warehouse of Messrs. Bradbury, wholesale mercers, No. 6, Aldermanbury. I recollect Mr. Miers dealing at our house—he commenced in December, 1835—I have extracts here from our books—he dealt with us up to the 12th of April, 1837—the last supply was in April, except a single parcel, which was paid for on delivery—we did not send any goods to High-street—I cannot tell exactly the amount of goods furnished during 1837—I should imagine the gross amount was 137*l.*

Cross-examined by MR. KELLY. *Q.* Do not tell us what you imagine. *A.* I have no dates—I should say goods were supplied to a greater amount than 30*l.* or 40*l.* in 1837, I should say it was to the amount of 150*l.* in 1837, but I cannot tell until I see our books again.

MR. JAMES. *Q.* What is the extract you have from your books then? *A.* Bills drawn and paid.

WILLIAM HOPKINS HOLYLAND *re-examined.* I am clerk to Messrs. Pawson and Co. This account—(*looking at one*)—was furnished from our house, and I believe it to be correct—we did not supply any goods to Mr. Miers in 1837—our account only comes up to December 9th, 1836—the whole amount of goods supplied was 1790*l.*—it began October 2, 1835—between that and December 1836, there was 1790*l.* worth of goods supplied, but nothing at all since that—we were paid for the goods.

Cross-examined by MR. KELLY. *Q.* You said before that they were supplied under a guarantee, which has been since withdrawn? *A.* Yes, we have had no dealings with him since—nearly half that amount was in 1835, and the other half in 1836.

T. C. BENNETT *re-examined.* I have now brought a copy of the ledger—the account commences on the 7th of October, 1835—the whole amount in 1835 is 350*l.*, but part of those goods were returned, between 6*l.* and 7*l.* worth, which would make it about 343*l.*—in 1836, it amounted to about 960*l.*, and in 1837, to about 12*l.*—the last date of 1837 is the 17th of February.

Cross-examined by MR. KELLY. *Q.* Do you know any thing of this of your own knowledge, or have you taken it from your books? *A.* I have taken it from the ledger—he returned goods to the amount of 7*l.*—3*l.* 10*s.* and 1*l.* 9*s.* 3*d.* was all that was supplied in 1837—I cannot say whether the returns are deducted from that amount—it is a very rough statement—I think about 326*l.* worth were supplied subsequent to the 31st of August 1836—we always supplied the goods under a guarantee—it was withdrawn in April, I think.

(John Manning, mercer and draper, Aldgate; George Nicholson, carpet and linen-warehouseman, Aldgate; Richard Knight, carpet-warehouseman, No. 273, High-holborn; William Nicholson, carpet-warehouseman, No. 318, High-holborn; Richard Emmerson, carpet-warehouseman, No. 305, High-holborn; James Bowen, linen-draper, No. 68, Chiswell-street; Richard Fawcett, carpet-warehouseman, No. 74, High-street, Whitechapel; Charles Johnson, linen-draper and carpet-warehouseman, No. 92, Bishopsgate-street, Without; Jonathan Nicholson, Carpet-bag manufacturer, Southampton-court, Southampton-buildings; and Francis Shaw, linen-draper, No. 201, High-street, Borough, deposed to the prisoner's good character.)

GUILTY. Aged 31.—Transported for Life.

NEW COURT.—*Monday, April 9th,* 1838.

Third Jury, before Mr. Common Sergeant.

1058. THOMAS MORAN was indicted for stealing, on the 27th of March, 1 fork, value 10*s.*, the goods of John Rew; to which he pleaded GUILTY. Aged 40.—Confined Three Months.

1059. GEORGE SMITH was indicted for stealing, on the 21st of March, 1 handkerchief, value 2*s*., the goods of Samuel Potter, from his person.

SAMUEL POTTER. I am clerk to Messrs. Lofty and Potter, of King-street, solicitors. On the 21st of March, about half-past one o'clock in the day, I was in Great Turnstile—I felt a twitch at my pocket—I waited till I felt my handkerchief go, then turned and saw the prisoner—he was standing close behind me, I looked at him, and he coloured up very much—I collared him, and accused him of it—he said, "I pick your pocket?"—I said, I would not stand any *gammon*—I turned him round, and saw the handkerchief in his hand—this is mine—(*looking at it*)—I know it—he said he did not know any thing—I had seen it safe not more than two minutes before—I had used it, and put it into my pocket again.

Prisoner. *Q*. Can you swear I took it? *A*. No, there was a number of people saw him—I saw it in his hand—I have no doubt about it.

THOMAS VEAR. I am a policeman. I took the prisoner, and have the handkerchief.

Prisoner's Defence. I saw a person drop the handkerchief—I picked it up—the gentleman turned round and accused me of picking his pocket—I did not do it.

GUILTY. Aged 18.—Confined Six Months.

1060. CHARLES GOFF was indicted for stealing, on the 23rd of February, 1 £10 bank note, the property of Henry Hardman, in the dwelling house of Daniel Crisp.

MR. PRICE *conducted the Prosecution*.

HENRY HARDMAN. I live in the country. In the month of February, I was residing at the Gordon-hotel, in Covent Garden—I had a portable writing desk there containing some bank notes, which I missed on the 23rd of February—I had seen the £10 note in question, on the Monday, the 19th or 20th—the prisoner was porter at the hotel at the time, and no doubt had access to my room as well as others, as my door was open and accessible like the rest—I very seldom saw him—the number of the note in question was 77947—I made a memorandum of it when it was stopped at the Bank of England—I went to my bankers to get the number—I did not get the number before I lost the note, but I knew the number and date before the note was stopped—I got it from Smith, Payne, and Smith—this has very much the appearance of the note I lost—(*looking at one.*)

Cross-examined by MR. BALLANTINE. *Q*. When did you receive this note from Smith, Payne, and Smith? *A*. On the Monday previous to the 19th—I received it with a £50 note and five £10 notes—I did not take the numbers of the notes at the time—I can tell the numbers of all the tens, they were sequents from 76946—I got the numbers from the bankers after I lost them.

HENRY DAVIS. I am in the employ of Mr. Burnet, who lives near the Piazza, in Covent Garden. I know the prisoner as porter to Mr. Crisp—on the 16th of March he came to me and asked for change of a £10 note, which I gave him—I wrote on the back of it "Mr. Crisp, Gordon-hotel, Covent Garden," knowing he came from there—(*looking at the note*)—here is my handwriting on this note.

Cross-examined. Q. Your shop is close by, is it not? *A.* Next door—I put the note into the desk, of which Mr. Burnet had the key.

MR. HARDMAN *re-examined.* I had received five £10 notes from the bankers—I had two £10 notes in my desk, on the 19th—I cannot tell where I passed the others—I lost £30 altogether and I think it was three £10 notes, but I am not certain—they were not all in my desk—I paid three of the £10 notes away on the Monday—I had three £10 notes on the 19th, in my writing-desk—I lost all three—I did not receive all those three from my bankers—I received the one I lost from the bankers, on the 19th—I do not know the number except from what my bankers told me.

THOMAS PHILLIPS. I am a clerk in the Bank of England. I received this £10 note from Morrison and Co. on the 20th of March.

MR. HARDMAN *re-examined.* I cannot say this is one of the notes I lost—one note so much resembles another—there is no mark to enable me to know it again—I am not able to speak to the number and date except from what I heard from the bankers.

DANIEL CRISP. I keep the Gordon hotel, in the parish of St. Paul; it is my dwelling-house. The prosecutor was living in my house at the time in question and for about two months—the prisoner was my porter—he had lived with me two different times—the last time for about five months—I remember the prosecutor complaining of being robbed, and I turned the prisoner away in consequence.

Cross examined. Q. On what day was this robbery? *A.* On the 23rd of February—the prisoner left me on the 9th of March—I mentioned it at Bow-street that day.

RICHARD BURNET. I took this £10 note from Davis, my cashier, and paid it to Morrisons'—it has Davis's mark on the back—I cannot precisely say when I received it—I did not receive it myself from the prisoner—I paid it to Allman, with many others.

WILLIAM ALLMAN. I am in the employ of Morrison and Co, warehousemen. I received this note on the 20th of March, from Mr. Burnet, among others, amounting altogether, with cash, to 220*l.*

RICHARD GARRETT. I am an officer of Bow-street. I apprehended the prisoner on the 22nd of March on another charge—I found nineteen sovereigns in his box.

NOT GUILTY.

1061. MARTHA DAVIS was indicted for stealing, on the 10th of March, 2 blankets, value 2*s.*; 2 sheets, value 5*s.*; 1 counterpane, value 2*s.*; 1 bolster, value 3*s.*; 1 pillow-case, value 2*s.*; 1 table-cloth, value 18*d.*; and 1 towel, value 6*d.*; the goods of Ann Woolridge.

ANN WOOLRIDGE. I am a widow, and live in Queen-street, Islington. The prisoner came to lodge at my house on the 7th of March—in consequence of information I sent for a policeman, and gave her in charge I missed these articles—they are mine—(*looking at them.*)

CHARLES TIJOU. I am shopman to Mr Drew, a pawnbroker at Islington. I have produced a towel which was pawned by the prisoner on the 14th of March.

Prisoner. I did not pledge it. *Witness.* I have not the least doubt of her.

WILLIAM HUMPHREY. I am shopman to Mr. Goodburn, a pawn-

broker in High-street, Islington. I have produced a pillow which I took in of the prisoner.

(*The prisoner put in a written Defence, stating that a female friend was in the habit of coming to see her at her room—that while she (the prisoner) was absent she missed several things, and the woman shortly after absconded.*)

ANN WOOLRIDGE *re-examined.* There was a woman with her.

GUILTY. Aged 27.—Confined Six Months.

1062. MARY ANN WALKER was indicted for stealing, on the 12th of March, 1 muff, value 1*l.* 10*s.*, the goods of Eliza Ashton, her mistress.

ELIZA ASHTON. I am a single woman, and live in Marylebone-street, St. James's. The prisoner was in my service, as nurse, from February till 17th of March—I missed a muff—this is it—(*looking at it.*)

CAROLINE ROPER. I live in Newport-market. The prisoner called on me on the 12th of March, and showed me this muff—she said she was going to pawn it in Thistle-court—I am sure this is the muff.

WILLIAM WILLIAMS. I am shopman to Messrs. Young and Luckmore, pawnbrokers, in St. Martin's-lane. This muff was pawned with me on the 12th of March, in the name of Wallen, but not by the prisoner.

EDWARD JOHN DAVIS. I am a police-sergeant. I took the prisoner, and found some duplicates on her—there is no duplicate corresponding with the muff.

GUILTY. Aged 30.—Transported for Seven Years.

(There was another indictment against the prisoner.)

1063. JOHN WILLIAMS was indicted for stealing, on the 4th of April, 1 purse, value 5*s.*; 7 sovereigns, 2 half-crowns, 1 shilling, and 1 sixpence; the goods and monies of Henry Bouverie William Brand, from his person.

HENRY BOUVERIE WILLIAM BRAND. I live in Bury-street, St. James's. About half-past three o'clock in the afternoon of the 4th of April, I was walking along Charles-street, Berkeley-square—I had 7*l.* 6*s.* 6*d.* in my coat pocket behind—I fancied I felt my pocket picked—I turned round, and saw the prisoner—he ran—I pursued, and caught him—I found the purse on him, and handed it over to the policeman—this is my purse—(*looking at it*)—the sovereigns and all in it are safe.

WILLIAM HAYING. I am a policeman. The prosecutor handed this purse to me—I have had it ever since, it is in the same state as I received it.

GUILTY.*—Transported for Ten Years.

1064. ELIZA JOHNSON was indicted for stealing, on the 1st of April, 1 box, value 6*d.*; 1 coat, value 10*s.*; 2 shirts, value 2*s.*; 1 waistcoat, value 1*s.*; 1 handkerchief, value 1*s.*; and 1 pair of stockings, value 6*d.*; the goods of Joseph Watson.

JOSEPH WATSON. I live in Cambridge Heath-gardens. On Saturday, the 1st of April, about two o'clock in the evening, I met the prisoner—she proposed taking a walk—I went with her into the garden—I had a box with me at the time, containing two shirts, a coat, a waistcoat, and a handkerchief—I was with her about ten minutes—I put my box on a bench, and, while talking to a shopmate, the prisoner *cut.*

Prisoner. He entrusted me with the box, and told me to go on with it.
Witness. It is false; I did not.

EDWARD SYMES. I am a policeman. Between two and three o'clock, on the evening of the 1st of April, I met the prisoner, carrying this bundle—I asked her what she had in it—she said, a coat and a pair of trowsers of her husband's, which she had taken out of pledge.

Prisoner's Defence. I told the policeman I thought I should meet the young man and give them to him, and directly I saw him at Lambeth-street I said they were his—I did not want to steal them.

GUILTY. Aged 34.—Confined Three Months.

1065. JOHN GEORGE was indicted for stealing, on the 29th of January, 1 truck, value 4*l.*, the goods of Thomas Breedon.

THOMAS BREEDON. I am a wheelwright, and live in Type-street, Chiswell-street. I have known the prisoner, by his coming for trucks, for many months—on Monday, the 29th of January, about three o'clock, he came and said he wanted a truck for Mr. Poole, and I let him have one—I am positive he is the man—he was to bring it back in the course of the day—he hired it for two or three hours, at 3*d.* an hour.

CLEMENT POOLE. The prisoner was formerly in my son's employ—I reside in the country, but was with my son on the day in question—I did not direct the prisoner to get a truck for me—if there had been any brought I should have seen it—there was none brought.

THOMAS BEALE. I live in Lower-street, Whitechapel. On the 29th of January, about three o'clock in the afternoon, the prisoner came to my house, and said he was going to be seized on, and had got a truck to sell cheap—I went with him to Whitecross-street—he there left me, saying he would go and see if the man was at home who had got it—he brought it to me, and I bought it of him.

(*Property produced and sworn to.*)

Prisoner. I am very sorry for it.

GUILTY.* Aged 29.—Transported for Seven Years.

1066. GEORGE WILLIAMS was indicted for stealing, on the 2nd of April, 4 pewter pots, value 4*s.* 6*d.*, the goods of Jonathan Wood: 1 pewter pot, value 1*s.* 6*d.*, the goods of David Milton: 1 pewter pot, value 1*s.*, the goods of James Hancock: 1 pewter pot, value 1*s.* 6*d.*, the goods of Thomas Clark: and 1 pewter pot, value 1*s.* 6*d.*, the goods of Benjamin Wood.

JONATHAN WOOD. I keep the Crown public-house in Aberdeen-place, Maida-hill. I have lost a great many pots at different times—on the 2nd of April I lost four, three-pints and a quart—(*looking at them*)—these are mine—they had been left at different customers.

DAVID MILTON. I keep the Duke of Clarence public-house, in North-street, Lisson-grove. One of the pots produced belongs to me—I lost it on the 2nd of April.

JAMES HANCOCK. I am a publican in Exeter-street, Lisson-grove. I lost a pot—this is mine.

THOMAS CLARK. I am a publican. One of the pots produced is one I lost.

STEPHEN THORNTON. I am a policeman. I saw the prisoner in Oxford-street, and found these pots on his person.

Prisoner's Defence. I picked them up—I was in distress, having been out of employ.

GUILTY. Aged 33.—Confined Six Months.

1067. JAMES HERBERT was indicted for stealing, on the 19th of March, 22lbs. weight of spelter, value 3*s.*, the goods of the St. Katharine's Dock Company—also, on the 21st of March, 12lbs. weight of spelter, value 1*s.* 6*d.*, the goods of the St. Katharine's Dock Company, to both of which he pleaded

GUILTY. Judgment Respited.

1068. The said JAMES HERBERT and JOHN COULTON were indicted for stealing, on the 2nd of February, 106lbs. weight of spelter, value 16*s.*,the goods of the St. Katharine's Dock Company. To which HERBERT pleaded GUILTY.

MR. BALLANTINE *conducted the Prosecution.*

JAMES FOGG. I am a Thames police surveyor. Last Wednesday I went to a house in Fusham-hard, Wapping, and found the prisoner Coulton in a front room there—I laid hold of him, and said he must go with me—he knew me—he said, "What for?"—I said; "For stealing some spelter from the St. Katharine's Dock"—he said he knew nothing about it, and had had nothing to do with it—I then told him he was at Mr. Foster's, with Herbert, selling it—he said, yes, he was—that he knew Herbert, and that Herbert had met him one day, and asked him to carry a parcel to Clerkenwell with him and he would give him 1*s.*—that he went into Commercial-road for him, and brought a parcel to him which he took to St. Paul's Churchyard—he said he had given him the heaviest—he said he had known Herbert for some years, that they were schoolfellows together—he said they had been offering him money to go out of the way, and had they given him money he should have done so, but he had no money, and could not go, and that I might have found him there before—I found him at a marine store-dealer's—I had followed him there—he and the marine store-dealer were in conversation when I went in—the marine store-dealer was at Hatton-garden when the prisoners were both charged with this at first, but no owner being found then they were discharged—I knew Coulton before—he lived close to the London Docks.

RICHARD MARSHALL FANCOURT. I am warehouse keeper of the quay marked C, at St. Katharine Docks. This spelter is part of what was there—I am able to say so positively—I know nothing of Coulton.

JOHN LOCKYER. I am in the employ of Mr. Foster of St. John's-square, Clerkenwell. I know Herbert by his coming to our shop several times—the last time he came Coulton was with him—I believe it was on the 2nd of February—they had this lot of spelter—I do not remember that Herbert said where he got the property from—Coulton did not say any thing.

COULTON NOT GUILTY.

1069. SAMUEL BUCKINGHAM was indicted for stealing, on the 27th of March, 66 pieces of wood, value 6*s.*; 1 iron crank, value 1*s.*; 50lbs. weight of solder, value 1*l.*; ½lb. weight of brass tubing, value 6*d.*; and 2lbs. weight of wire, value 2*s.*; the goods of Thomas Cubitt, his master.

MR. BALLANTINE *conducted the Prosecution.*

JOHN CLIFTON. I am foreman to the plumbers in the employ Thomas Cubitt, a builder, in Eaton-place, Belgrave-square. W building in Davies-street—on Tuesday the 27th of March I recei formation, in consequence of which I applied to Vallance, the poli and went with him to the Hertford Arms public-house, in Little Gro street—I there received a carpet bag—I examined it, and found it had pieces of wood, which had been cut off the ends of boards we were u the roof of some premises in Davies-street—the prisoner was emplo those premises—I went there with Vallance, and took the carpet b us—I saw the prisoner, and asked him how he came by the wood, p to the wood in the bag,—he said, "I took it off the roof of the where I was at work"—I gave him into custody, and afterwards his lodging in Buckingham-place, New-road—I was present while was made there, and a quantity of wood was found—I should sa parts of a cart load—also a quantity of solder, a brass tubing, and with a C on it—all belonging to Mr. Cubitt—the prisoner would h right to that property—it was not given to him as perquisites—the are worth between 20 and 30*s*.

Cross-examined by MR. JONES. *Q.* How long has the prisoner Mr. Cubitt's employ? *A.* Nine or ten months—I heard nothing him before—Vallance was present when the wood was found in the bag—the prisoner said he got them from the building where he work on the roof—he said, "roof," to the best of my knowledge—never said he used any other words besides roof or building to my ledge—he said he got them from the roof to the best of my know and he hoped they were not going to take him into custody for it- pieces of wood might be used for rails for a back landing—Mr. occasionally goes on buildings, but very seldom—there is no mark wood, nor on the solder—I swear it is not an O on this crank—it is it is not a G—there is no other mark on it—the prisoner has constantly for Mr. Cubitt for ten months, except a few days at Chri

MR. BALLANTINE. *Q.* Are you able to say that those pieces o were on the premises in Davies-street? *A.* Yes—the pieces from they were cut are there now—they have been compared, and the exactly in width and thickness—the prisoner was at work on that ro was there when I gave him in charge—I cannot swear to the solder, agrees with what we use.

ANDREW VALLANCE. I am a policeman. I went with Clifton Hertford Arms public-house, and received this carpet bag, containi eleven pieces of wood—we then went to Davies-street, where the p was at work—he said the carpet bag belonged to him, and he had the wood from the building—the Hertford Arms is about fifty yard Davies-street.

Cross-examined. *Q.* Where was it he said he got the pieces of from? *A.* I understood him from the top of the house—from the this ladle I found at the prisoner's house—it does not belong to the cutor—it is used to melt solder.

JURY *to* JOHN CLIFTON. *Q.* Is the C on this crank Mr. Cubitt' private mark, or is it a mark put on by a foundry called the Carron dry? *A.* Mr. Cubitt purchases from the Carron Foundry, but the I have seen of theirs have "Carron" on them and not C—if the p

had found these pieces of wood lying about he need not have taken them away to take care of, as I live near the premises—he might have brought them to me, but he was not in the habit of using wood—he was employed as a plumber—he had nothing to do with the wood.

MR. JONES. *Q.* Which was nearest, the public-house or your house? *A.* The public-house—they are both in the same direction.

NOT GUILTY.

1070. MARY LEONARD was indicted for stealing, on the 7th of April, 1 iron hook, value 1*d.*; and 12lbs. weight of mutton, value 8*s.*; the goods of William Mansfield.

(On the evidence of Mr. Gilbert M'Murdo, surgeon of the gaol, Mary Ruthven, one of the matrons, and Esther Brown, the prisoner's sister, she was found to be of unsound mind.)

1071. SAMUEL SWAIN was indicted for feloniously receiving, of a certain evil-disposed person, 3 lasts, value 9*d.*; and 1 pair of slippers, value 3*d.*; the goods of George Sergeant, well knowing them to have been stolen; against the Statute, &c.

GEORGE SERGEANT. I am a shoemaker. On the 22nd of January my place was robbed—I was ill at the time—next day I went to the prisoner, who is a marine-store dealer, in Golden-lane, which is the next street to me—I said, "Mr. Swain, have you bought any boots, shoes, or lasts?"—he said he had not, nor any boot or shoemaker's tools—I said, "If you will give them up, I will pay you what you gave for them"—he said he had not bought any—I went there again, and found he had removed to Cloth-fair—I went there, and saw three of my lasts outside his door—I said to him, "These are mine, how came you possessed of them?"—he said, "I bought them"—I said, "Who of?"—he said, "I have not been a marine-store dealer so many years, but I know what trade is; you want to *do* me out of them, as a man did of an ink-stand"—I told him to put them in on his shelf, and I would give him 4*d.* for them—I went away, and brought an officer back with me—I was not away above ten minutes or a quarter of an hour, and he then said he had sold them—I said, "What made you sell them, when I said I would come for them?"—he said he had sold them for 3*d.*—the officer searched his place, and found one of the lasts which he said he had sold, concealed in a drawer at the back of the table, with two others belonging to me, and a pair of slippers belonging to my sister—we found one in the afternoon, and the other when we went back after he was in custody—when he was in the station-house he said, "If you will drop the charge, I will give you your property"—I said, "If you will, I will let you go," and I let him go on his saying he would appear at Guildhall next day, but he did not come—he met me in the Old Bailey the other day, and he sneered at me and said, "Have you drawn any bill against me?"

Prisoner. *Q.* Where did you go after you came to me? *A.* To my father's, and then to the watch-house—Mr. Martin, the inspector, said to me, "You have let the bird fly, and you want me to shoot it"—when I came back you said you had sold the property, and your wife said to me, "You false-swearing vagabond, I bought that among a set of bones."

CHARLES BURGESS. I am a policeman. I went with the prosecutor, by desire of the inspector, and requested the three lasts—I told the prisoner

he had done very wrong by making away with them—I found these two lasts on a shelf behind the counter—I then took him to the watch-house, and went back again about half an hour afterwards—I then found this other last in a table-drawer, with a quantity of things—the prosecutor said it was one of the three that had been exposed for sale.

GEORGE SERGEANT *re-examined.* These are my things—one of the lasts is one I had seen offered for sale, and which I offered him the fourpence for—the slippers belong to my sister—the prisoner's wife said they had bought them among a lot of bones—he was present when she said so, and I said to him, "Mr. Swain, if you will come home with me, and try the shoe on my sister, you will see it will fit"—he showed it to my father, and asked him if he knew it, and he said, "It is my girl's shoe"—she was just coming from school at the time—it was tried on, and it fitted her.

Prisoner. *Q.* Can you swear to those lasts? *A.* I can, to every one—I have a mark on them, and I have worked on them upwards of sixteen months.

Prisoner's Defence, (*written.*) On the evening of the 13th of February a person came to my shop, and offered sundry shoemaker's lasts for sale—being a shoemaker by trade, I purchased them for my own use—a day or two afterwards the prosecutor came to my shop and asked if such articles had been offered for sale—my wife said, not to her knowledge, not knowing I had purchased them—I was then about opening another shop in the same line, in King-street, Cloth-fair, where the prosecutor saw the three lasts among others which I had in use for my own business as a shoemaker—he then asked the price of them, and I told him, "Fourpence"—he said they were his property, but he would fetch the money and buy them of me—I took them out of the window, considering they were sold to him, and placed them in a drawer—he brought an officer, and had me locked up—they then went and searched my shop, and found the lasts in the drawers, and one pair of old shoes, which he claimed—I was liberated at the watch-house on my own promise to settle the business with the prosecutor, at his house, on the following morning—I went to him, and he told me to appear at Guildhall the following morning, before the Alderman—I went, and was held to bail, and I now come voluntarily before you.

GUILTY.† Aged 53.—Transported for Seven Years.

1072. MARY ANN WOOD and FRANCES FELL were indicted for stealing, on the 30th of March, 1 watch, value 10*s.*, the goods of Frederick Wise, in a certain vessel, in a certain port of entry and discharge.

FREDERICK WISE. I am an apprentice on board the brig *Sisters.* On Friday, the 30th of March, I missed my watch from the cabin; about one o'clock—this is it—(*looking at it*)—the prisoners had been employed on board that day to clean the cabin.

Woods. When we went down into the cabin he was drinking spirits—he gave us some, and having had no victuals that morning, it made us drunk.

Witness. I did not give them any—they were not drunk.

JAMES THORNE. I am a watchmaker at Limehouse. On Friday last, about two o'clock, the prisoners came to sell me this watch, and asked if it was silver—I gave them 6*s.* for it, which was the full value—they afterwards returned and wanted it back, but I had received information previously, and they were taken into custody—they were not drunk the first time they came, but they were afterwards.

JOSEPH MONTAGUE. I am a policeman. When I took the prisoners they had no money.

(*The prisoners put in a written Defence, stating that they had picked up the watch which was lying about on the deck, and thinking it of no value, gave it to a child to play with on board, and that being in want of food afterwards, they took it to the watchmaker, and finding it was silver, sold it to him for* 6*s.*)

WOOD*—GUILTY. Aged 21. } Transported for Ten Years.
FELL*—GUILTY. Aged 39. }

1073. JAMES GOAKAM and JAMES BARTON were indicted for stealing, on the 3rd of April, 1 hat, value 2*s.* 6*d.*, the goods of James Cornish the younger, from his person.

JAMES CORNISH, JUN. I live with my father in Britannia-terrace, City-road—he is a musician. I know the prisoners by sight, but never spoke to them—on the 3rd of April, about half-past eight o'clock, I was coming down Plummer-street, with two of my school-fellows—it was dark, but there were lamps, and one of the prisoners (I do not know which) knocked off my hat—I am quite sure they are the two—Goakam picked it up, and they both ran away—I ran after them, crying "Stop thief!"—Goakam then gave the hat to the other who ran on, and he came back and asked me if I was running after him—I said, "Yes," and asked him where my hat was—he pointed to the spot where it was, and said, "There it is, then" hit me on the side of the face, knocked me down, and ran away—I met a policeman and informed him of it.

Cross-examined by MR. CHAMBERS. *Q.* What are the names of your two school-fellows who were with you? *A.* Sears and Aldridge—they are not so old as me—they did not run after the prisoners—they stopped behind where the hat was knocked off—I have never found my hat again—I had seen the prisoners before, standing at the corner of Pitfield-street, opposite my father's—I had never spoken to them before—I do not know whether they were drunk or sober—they came out of a court there, as if they were going to pass by me—then knocked my hat off, picked it up, and ran away—they were close to me when they did it—not behind me—they met me, and seemed as if they were going to pass me at first.

JAMES CORNISH, SEN. On Tuesday evening, at half-past eight o'clock, my son came home in a very agitated state without his hat—his face was swollen very much, and was very much blackened, as if there had been a violent blow.

Cross-examined. *Q.* What was the value of the hat? *A.* I suppose about half-a-crown, or a little more.

THOMAS ZINZAN. I am a policeman. I received information, and took Goakam—he was in company with two prostitutes—I afterwards apprehended Barton in company with the same two.

(*The prisoner Barton put in a written Defence, declaring his innocence, and stating, that he must have been intoxicated—also stating, that he was engaged on board the* Nautilus, *to go to New South Wales.*)

GOAKAM—GUILTY. Aged 21.—Confined Six Months.
BARTON—GUILTY. Aged 18.—Judgment Respited.

1074. WILLIAM TARRAN was indicted for embezzlement.

JOHN MINTON. I keep the Shepherd and Flock public-house, in High-

street, Marylebone. The prisoner was my pot-boy—it was his duty to receive money and pay it to me—he has not paid me 2*s.* received on the 27th of March from Mrs. Cavanagh, nor 1*s.* 8*d.* from Mr. Cartwright—it was his duty to pay it to me the same night as he received it.

SAMUEL CARTWRIGHT. I am footman to Mr. Borley, of Mansfield-street. I deal with the prosecutor—on the 27th of March I paid the prisoner 1*s.* 8*d.* for beer had from his master.

BRIDGET CAVANAGH. I have been in the habit of having beer of the prosecutor. On the 27th of March I paid the prisoner 2*s.* for his master.

Prisoner. I intended to have paid it the night I was taken.

(The prisoner received a good character.)

GUILTY. Aged 29. *Recommended to mercy.*

Confined Three Months.

1075. RICHARD THOMPSON was indicted for stealing, on the 5th of March, at St. Pancras, 1 box, value 10*s.*; 6 sheets, value 2*l.*; 3 shirts, value 1*l.*; 2 table-cloths, value 10*s.*; 4 shifts, value 10*s.*; 34 towels, value 5*s.*; 1 sovereign, and 2 half-crowns; the goods and monies of George Wigg, in his dwelling-house; to which he pleaded

GUILTY. Aged 21.—Transported for Ten Years.

1076. RICHARD THOMPSON was *again* indicted for feloniously stealing, on the 12th of March, at St. Marylebone, 1 basket, value 4*s.*; 5 shifts, value 2*l.* 10*s.*; 3 shirts, value 2*l*; 1 night gown, value 6*s.*; 4 curtains, value 1*l.* 10*s.*; 5 pairs of drawers, value 12*s.*; 4 petticoats, value 12*s.*; 4 sheets, value 1*l.* 4*s.*; 3 pillow cases, value 6*s.*; 2 table cloths, value 1*l.* 4*s.*; 13 napkins, value 1*l.* 10*s.*; 30 towels, value 12*s.*; and 1 table cover, value 6*s.*; the goods of William Chapman, in his dwelling-house; and THOMAS PARKINSON and GEORGE COX for feloniously receiving 4 sheets, part of the said goods, well knowing them to have been stolen; against the Statute, &c.; to which

THOMPSON pleaded GUILTY. Transported for Ten Years more.

MR. JONES *conducted the Prosecution.*

ANN HARDING. I am in the service of William Chapman, of Wimpole-street. On the 12th of March, between half-past six and seven o'clock in the evening, the prisoner Thompson came to me and asked for some linen for the Acton carrier—I gave it to him in a basket—I had never seen or known any thing of him before—Graham, the Acton carrier, had been in the habit of calling for linen—I went to the door when Thompson came for the things—I did not see anybody with him, or near the door.

WILLIAM ROBERT MAYNARD. I am shopman to Messrs. Newby, pawnbrokers, Drury-lane. On the 12th of March Parkinson came to the shop about a quarter before eight o'clock in the evening, and offered to pledge two sheets—I did not hear him ask for any thing—I asked if he was not the person who had come on the Monday previous with two sheets—he said "No"—(he had on the Monday previous pawned two sheets at our shop, and I had put on the ticket the name of John Way—I do not know whether it was Way or Wigg)—I then shut the door, and fetched a policeman, and gave him into custody—I asked him where he lived—he said in James-street, Drury-lane.

Parkinson. I did not pledge the other sheets—I was not in town at the time, and at Bow-street he could not swear to me as being the person who pledged them.

Witness. Yes, I did—the name of Wigg is on the ticket.

THOMAS HEDGES. I am a pawnbroker in Drury-lane. I produce two sheets, which were pawned at my shop for 6*s*. on the 12th of March, between seven and eight o'clock in the evening—I believe the prisoner Cox to be the person—he gave the name of Cox, and said he lived at No. 13, James-street, Covent-garden—there is no James-street, Drury-lane—Mr. Chapman's name is on the sheets.

Cox. I did not pawn them. *Witness.* I believe him to be the man—I have some little doubt, as ten days elapsed before I saw him again, but as far as my recollection serves me, he is the man.

JOHN BLACKBOROUGH. I took Parkinson into custody in Messrs. Newby's shop on the 12th of March—I received this pair of sheets at the same time—he was asked how he became possessed of them, and he said they were given to him—he did not say by whom.

JOHN GRAHAM. I am the Acton and Bayswater carrier. I was employed to call every other week for the prosecutor's dirty linen—I never authorised Thompson to apply for it—I know him by sight, being employed in the neighbourhood, but was not acquainted with him in any way.

(*Property produced and sworn to.*)

JOHN KIRKMAN. I am a policeman. I apprehended Cox on the morning of the 14th of March in Wentworth-street, Whitechapel, in company with Thompson—I told him I apprehended him for stealing some linen from Brooks's, in Pall-mall—they both denied it—I brought them to the station-house in Bow-street—before that Parkinson had been apprehended by Pocock—we asked him where he lived, and he said in Wentworth-street, Whitechapel—we went there, and saw Thompson and Cox go into the house—we followed them in—it is a lodging-house—we there found property, some of which was claimed by Parkinson, some by Cox, and some by Thompson.

THOMAS POCOCK. I am a policeman. I saw Parkison in custody at Bow-street—he told me he lived in Wentworth-street—two nights afterwards I went there with Kirkman, and there apprehended Cox and Thompson—I found some clothes, and a dressing-case there, which Parkinson owned, and also a certificate, showing that Parkinson was entitled to six month's gratuity from the Queen of Spain—I have made inquiries at No. 13, James-street, and no such person as either of the prisoners lived there.

Parkinson's Defence. I am innocent of the charge—if Thompson is brought forward he will tell you I know nothing at all about it—he gave me the property, and asked me if I would pledge it for him, and told me what name I was to pledge it in.

Cox's Defence. I know nothing about the property—Thompson gave it to me, and told me what name to pledge them in—I did not pawn the sheets—it was three shirts—I met him in Holborn, and he asked me to pawn the three shirts for him—I know nothing about the sheets.

PARKINSON—GUILTY. Aged 23. } Tansported for Seven Years.
COX—GUILTY. Aged 19. }

(There were two other indictments against the prisoners.)

1077. SAMUEL INCE was indicted for stealing, on the 15th of February, 1 umbrella, value 20*s*., the goods of William Waller.

WILLIAM WALLER. I am an orange-merchant, and live in Botolph-lane. On the 15th of February a person came to my shop, and asked for an umbrella to mend—he was rather a shortish, stoutish man—(I think I had seen him the day before, when he came in, in the same way, and asked if I had an umbrella to mend)—I should know the man again—I said he might mend one if he would bring a stick and do it at my house—it was the prisoner—he did not give me any name, but he gave his address, "Bear-yard, Bear-lane"—he said he would return the umbrella in about an hour, but he did not return—he left two old umbrellas behind—I am confident he is the man.

Cross-examined by MR. CHAMBERS. *Q.* Did you not see the prisoner the instant you came into the room just now? *A.* No, I did not—I will swear that—I did not look that way—I am certain it was on Thursday, the 15th of February, that I gave him the umbrella, for I was packing up some oranges to go to Norwich that day, which makes me remember it—I had seen the same man the day before, the 14th, about two o'clock—I think it was the day before, but I will not swear it—since that, a man named Castles, has called on me with this umbrella—(*producing one*)—it is not mine—I took it of the man by the Magistrate's orders—I did not give the man into custody—I was not told to do that, only to take the umbrella if it came—the prisoner left two old umbrellas as security for mine.

WILLIAM WALLER, JUN. I am the prosecutor's son. On the 15th of February the prisoner came to our house for an umbrella—I had seen him the day before, when he came about two o'clock—I am sure he is the same man that had been the day before.

Cross-examined. *Q.* How was the man dressed that came the day before? *A.* With a blue coat and bright buttons—I did not notice what waistcoat or trowsers he had—he was not dressed like the prisoner is now—I did not take particular notice of him—I was very busy packing oranges, and I just looked up as he was standing there—my father took me to the police office—he did not point the prisoner out—he did not ask me whether he was the man—he said nothing to me—it was about a month after I had seen him.

NOT GUILTY.

1078. WILLIAM WADE and SAMUEL ROBINSON were indicted for feloniously breaking and entering the dwelling-house of Philip Castang, on the 25th of March, and stealing therein 3 fowls, price 1*l.* 5*s.*; 4 tame pigeons, price 30*s.*; and 2 tame doves, price 5*s.*; his property.

PHILIP CASTANG. I deal in birds, and live in Old-street, in the parish of St. Luke—I am the occupier of the house, and dwell there. On Sunday, the 25th of March, about eight o'clock in the evening, a knock came at the door—my wife and myself were the only persons in the house—my wife went to the door in consequence of my son ringing at the bell—I went down stairs after my wife—my son said he had found the door open, and there was somebody in the shop—I opened the door, and found four of the pens in the shop had been stripped—I went into the back yard, and found the hens and a pair of pigeons which had been removed, in a bag, another bag empty, and a pair of doves, and two bantams loose, as if just dropped out of it—they had been in the pens in the shop before—the thieves must have got in by means of a key which had been taken away a few nights before—they could not have got in in any other way but at the street door

—there was no other way of getting into the back yard—I did not see any persons in the yard, but the prisoners were brought back by the police.

Cross-examined by MR. PAYNE. *Q.* Have you recovered all your birds? *A.* Yes—they were all found in my back yard except the doves, which had been taken over the wall, and were found in the back yard of another house, and one of them was found dead.

COURT. *Q.* Is the shop part of your dwelling-house? *A.* Yes, there is a passage door which leads into the shop—I had seen the shop door shut safe at seven o'clock—there were no marks of violence on it.

FANNY CASTANG. I am the prosecutor's daughter. On the Thursday before this happened, I had seen the key of the street door safe behind the door, and missed it on Friday night—I saw Wade about the premises at the time.

Cross-examined. *Q.* How long was he there? *A.* Not more than ten minutes—he brought a cage home which he had been mending.

PHILIP CASTANG, JUN. I live in Anderson-buildings, City-road. I went to my father's house about eight o'clock on this evening, and found the street door open—I went into the shop, and found somebody had been there—I called a policeman, and we went into the back yard, and discovered the birds and things lying about there in different directions—the policeman went round one way, and I got on the wall, and met Wade on the top of the wall, which is fourteen feet high—I secured him—Robinson came up behind Wade on the wall, and the policeman took him.

Cross-examined. *Q.* How far was the place on the top of the wall, where you found Wade, from where the fowls where? *A.* Just above them—it was the wall of my father's yard—he was on the wall, and the fowls were on the ground.

MATTHEW PEAK. I am a policeman. I saw Wade coming along the wall behind Mr. Castang's house, and Robinson was coming along at the time I took them—this key was brought to the station-house by a witness, who is ill.

Wade's Defence. I went to Mr. Castang's house about half-past seven o'clock—Mrs. Castang was at the door—she told me thieves were in the house, and they had gone into the yard—knowing Mr. Castang before, having worked for him for three or four years, I went through the passage into the yard, and climbed up the wall, but saw no one—I was there ten minutes when young Mr. Castang caught hold of me and hallooed out, "I have got him."

(The prisoner Wade received a good character.)

WADE—GUILTY. Confined Two Years.

ROBINSON—GUILTY. Confined One Year.

1079. CHARLES SEALEY, EDWARD BAILEY, and JOSEPH CALLAGHAN, were indicted for feloniously breaking and entering the shop of Henry James Wood, on the 18th of March, and stealing therein, 8 pairs of boots, value 2*l.*; 1 other boot, value 3*s.*; 1 pair of shoes, value 5*s.*; 1 other shoe, value 8*s.*; and 1 bell, value 6*d.*, his goods.

HENRY JAMES WOOD. I am a shoemaker, and live in Cumberland-street, Middlesex-hospital; my shop is in Broad-street, St. Giles's. About twelve o'clock on Sunday, the 18th of March, I left it barred and locked up as usual, and the goods all safe—as I was going away, I saw the prisoners Sealey and Callaghan standing with three or four others, about two

doors past my shop—at two o'clock I was called by the policem found my shop-window had been stripped of boots and shoes, t wrenched off the street door, and the side door of the passage wrenc its hinges—they must have got in by that means—the bell has sinc found, but nothing else—I missed five pairs of boots, three pairs of and some odd ones.

Cross-examined by MR. BALLANTINE. *Q.* What time did you le shop? *A.* Twelve o'clock in the day—I noticed the two prisone among the others, as they were looking my way—the others ha backs toward me—I did not speak to them—I noticed them as I pa they looked right in my face—I did not notice their dress, or w they had hats or caps on—I did not see them again till the fo Monday.

FRANCIS RANDER. I live with a widow lady, who keeps a monger's shop, in Middle-row—I lodge in Broad-street, exactly o the prosecutor's house. About one o'clock on Sunday afternoon, t of March, I was at my window, and saw three men go into the pa the prosecutor's street door—Callaghan was one of them—he appe me to have something under his arm like a bag, going in—directly wards he came and stood at the door, and looked—the other tw inside—a few minutes afterwards they all three came out, Ca first, with something in a bag, and crossed the way.

Cross-examined by MR. PAYNE. *Q.* What part of your house w in? *A.* In the second-pair front—I was looking out of the windo ing a headach from being at work—there were not many people al that side of the way—there was on the other side, coming from chu

PATRICK KENNEDY. I am in the service of Mrs. Apted, a fishm and live in Middle-row, Holborn. On Sunday, the 18th of March walking by the prosecutor's shop, and saw three persons come out passage at the side of the shop—Sealey was one of them—I kn before—I cannot say who the others were—he had something in his but what it was I could not see—I did not see either of them with a I saw them come out of the passage, and shut the door after them— suspicion, I went and pushed it open, and found the door leading parlour was open—I beckoned to my fellow-servant—he came dow I gave information to the police.

Cross-examined by MR. BALLANTINE. *Q.* What were you doing occasion? *A.* Walking by—I was going to get my hair cut—it w o'clock on Sunday morning—I was waiting for a man named Bak keeps a *cab*—I was not in the habit of associating with Sealey—I drive a *cab*, and so did he—I was about six months on the stand- not see him every day—perhaps not above twice a month—I had n any quarrel with him of any kind—I never had a quarrel with him his getting a fare from me—he never got a fare from me, that I kno I have not got a very good memory, and very likely I might have quarrel with him and forgotten it—I never told him I would g a turn for what he had done to me—not that I know of—I will no I did not—as I told you before, I have got a very bad memory— not the least knowledge of telling him he should never drive a ca but I have a very bad memory.

ROBERT HORNSBY. I am a policeman. I received information, 18th of March, and took Sealey into custody—I told him I wanted h

suspicion of stealing some boots and shoes from the shop of Mr. Wood—he said he knew nothing at all about it—I saw Bailey and Callaghan in custody of a sergeant the same night—I went on Monday to a room where Bailey lives, and found two bags—I went to a privy in the court, where all the people there go to, and found this bell, which the prosecutor claims, in the privy.

Cross-examined by MR. PAYNE. *Q.* Was anybody with Sealey when you took him? *A.* He was in a room with others—I do not know who they were.

HENRY GRISS. I am a policeman. I took Bailey and Callaghan into custody in Monmouth-street, Seven Dials—they were together—I searched Bailey at the station-house, and found on him this piece of iron—after he was locked up I went to the prosecutor's shop, and examined the door, and the partition from which the hinges had been wrenched—I compared it with the marks on the door, and the point of it fitted exactly with the marks.

Bailey. I was at home all the day, which my friends can prove.

MR. BALLANTINE *called*

SAMUEL CROSSLAND. I am a coach-proprietor, and live in Horseferry-road, Westminster. I know Sealey perfectly well—on the Sunday morning, after St. Patrick's day, having taken a little too much, I did not feel disposed to go out with my coach, and asked the waterman if he knew any one who would take care of it—he said, "There is young Sealey"—he had driven for me several times—I went to the court where he lived about twelve o'clock—I am sure it was about that time—it was just before church broke up—I saw him—he was in bed—I am certain it was not a quarter past twelve o'clock then—he said he would get up very soon, and come, but I did not wait, and got another person—I saw nothing more of him that day—I know the witness Kennedy—whenever he and Sealey used to meet on the rank they always fell out—Sealey generally got the fares away from the other, which of course irritated him; and I heard him say, "The first opportunity I have, I will be revenged on you, so that you shall not drive a *cab* for some time to come."

(Callaghan received a good character.)

CALLAGHAN—GUILTY. Aged 18.—Confined One Year.

SEALEY and BAILEY—NOT GUILTY.

1080. WILLIAM CLARK was indicted for feloniously assaulting Mary Clark, on the 7th of April, and stabbing and cutting her, with intent to do her some grievous bodily harm.

JAMES PRICE. I am fourteen years old. I live with my father—I worked with the prisoner—on Monday, the 2nd of April, I had been out for some eggs—when I came back my mistress, Mrs. Clark, was in the room—the prisoner came in, and I gave him the change—he said, "What makes you so long making it out, you rogue? you are cheating me"—my mistress said, "Give the boy time"—the prisoner said something to her, and she gave him a *punch*, and knocked him off his chair, and ran out of the house—he did not do any thing to her—I told the Magistrate this—I did not see him do any thing—nobody has been speaking to me since I was before the Magistrate—I told him the same as I say now.

(The prosecutrix being called, did not appear.)

NOT GUILTY.

1081. ELIZABETH STARKIE was indicted for stealing, 19th of February, 2 pairs of trowsers, value 12*s.*, the go Thomas Delor: 1 shawl, value 10*s.*; 1 handkerchief, value 6*d.*; ticoat, value 2*s.*; 1 gown, value 4*s.*; 1 yard of printed cotton, val the goods of Elizabeth Harrison: 1 handkerchief, value 7*s.*, the g Benjamin Williams: 2 pairs of shoes, value 10*s.*; 1 shirt, value 1 goods of Samuel Andrews: 1 nightcap, value 6*d.*; 2 decanters, val 6 sheets, value 4*l.* 4*s.*; 4 towels, value 3*s.*; 4 pillow-cases, value table-cloth, value 7*s.*; 2 handkerchiefs, value 2*s.*; 4 dishes, val 11 plates, value 3*s.*; 26 knives, value 5*s.*; 16 forks, value 3*s.*; 1 flann value 3*s.*; 1 waistcoat, value 3*s.*; 1 pillow-case, value 3*s.*; 2 cloths, value 7*s.*; and 1 sheet, value 10*s.*; the goods of John Stark master; and SARAH BELL, *alias Starkie*, for feloniously recei same, well knowing them to have been stolen; against the Statute,

MR. JONES *conducted the Prosecution.*

JOHN STARKIE. I keep the Four Swans inn, in Bishopsgate-stree prisoner Starkie came into my service on the 11th of February la remained till the 17th of March—in consequence of something whi pened on the morning of that day, I desired her to tell me who her were in town—she referred me to some at the West end of the tow found none of them—I returned home at night; and, in consequ inquiries I made, I told her to leave the house—I had not seen Sa at my house that day—I had seen her there before, I believe—she c the dirty linen, and brought a basket with her—when Starkie left m that night, I followed her to No. 2, Blacksmith's Arms-place, kept Flyn—I made inquiries there, and found a man named John Bell, 2, Lower Chapman-street—I set a person to watch—on the 22nd of I went, and saw John Bell come out of No. 2, Chapman-street—h truck with him—I followed him to No. 5, Anthony-street—I s boxes brought out of there, and put on the truck—I followed hi met two policemen—Nicholas followed him to St. Katharine's Doc brought him, with the truck and boxes, to the station-house—the were opened there, in the presence of the prisoners, who had been there, and were found to contain property belonging to me, which is I never saw John Bell before that day—I have no reason to beli was in the habit of coming to my house—this is my property—(*loo it*)—it was all under my care at my house.

MARY ANN BOUCHER. I am bar-maid to the prosecutor. While lived there I have seen Sarah Bell come there several times for the l she sometimes brought a basket—I never saw John Bell, to my know nor any man, with her—this property was missed from time to time Starkie was living there—on the evening of the 17th of March, th evening as Starkie left, Sarah Bell came—I believe she had a basket w —I believe Starkie was at home at the time—she said she was told other servant that Starkie was not at home, and she would wait empty basket; and while they were gone to empty it she went away out saying any thing at all—I never saw her at the house since.

JOHN NICHOLAS. I am a policeman. I was called on by Mr. S on the 22nd of March, and took John Bell into custody at St. Kath Dock, and took him, the truck and boxes, to the station-house—l wards went with the prosecutor to No. 5, Anthony-street, and the Mrs. Chason—I inquired if a young woman was stopping ther

denied it; however, I searched the house, and in the privy of the next house I found the prisoner Starkie—I told her I wanted her for a robbery—she said nothing to that—Sarah Bell was brought there by another officer, and we took her, Starkie, and Chason, to the station-house—boxes were opened there, in the presence of them all, and this property, which has been produced, was found in them—I asked Starkie if she had the keys—she said they were not locked—I found them corded and nailed, but not locked—I did not ask whose boxes they were, and neither of them said any thing about them.

JOSIAH CHAPLIN. I am a policeman. I took Sarah Bell into custody, at No. 2, Lower Chapman-street, on the 22nd of March—I asked her if she knew any thing about Elizabeth Starkie—she said, "No"—I searched the house, and found fourteen blue and white dishes—she lived there—she did not tell me so—she appeared to be at home—she said she had a child, about three months old—I said she might take it with her—it was in bed in a back-room, and she went and fetched it.

Elizabeth Starkie. It was my child. *Witness.* Bell took the child with her to the other prisoner, who is its mother.

WILLIAM SAWYER. I am a police-sergeant. I was at the station-house, on the 22nd of March, when the prisoners were brought there, and saw the different articles taken out of the boxes—some of the linen was marked J. B.—the prisoner, Starkie, said to John Bell, "Those articles marked J. B. are your property, and those marked J. S. are the property of my husband, you know that, if you like to speak the truth"—on which John Bell said, "Oh, you d——d soft one; if I am asked the question I will tell the truth, in what way the things came to my house, and who they belong to; you have no right to bring more people into it than are guilty"—she made no reply.

Starkie. I never mentioned such a thing, and never heard John Bell say it.

ELIZABETH CHASON. I live at No. 5, Anthony-street, and carry on the mangling business. I know both the prisoners—Sarah Bell lives at No. 2, Lower Chapman-street—on the 18th of March Starkie came to me and asked me to provide her with a lodging, as her husband, she said, had injured her in her employment—I agreed to take her in for a few days—on Sunday Morning John Bell came with her, and brought two boxes, which were put into my kitchen—those produced are the same boxes—on Thursday, the 22nd of March, John Bell came to my house with a truck—Starkie was at my house at the time—the boxes were put on the truck and taken away—the officer afterwards came, and I denied her—she did not tell me to do so particularly—I did it of myself, because she had deceived me—I was taken into custody myself, and afterwards liberated.

JAMES LEA. I am an officer. I searched the house, No. 2, Lower Chapman-street, where John Bell lives, the day after his apprehension—I found these three keys, two of which open the two boxes—I received fourteen duplicates from Jane Gill, four of which are for property pledged belonging to the prosecutor—I also found other keys, which open a drawer in the prosecutor's house, where the property was taken from, and among them were skeleton-keys—they were hanging up in Bell's house—this night-cap, which the prosecutor claims, I found in Chapman-street—I also have two table-cloths, which were given up by Fowler, which the prosecutor claims.

JANE GILL. I have been put into Bell's house since they have been in prison, under a distress for rent—I found the fourteen duplicates, which I gave Lea, in the oven there this day week.

HENRY FOWLER. I am a pawnbroker. There is a duplicate among these for two pairs of shoes, pledged by a person named Ann Bell, of No. 2, Chapman-street—I know Sarah Bell, but I have no recollection of her pledging that particular property—she has been in the habit of pledging at our shop for four or five months—these two table-cloths were pledged by a woman named Bell—I have two duplicates corresponding with those found in the oven—I cannot swear that she is the woman that pawned them—Lea gave me information of the robbery—I sent to the station-house to say that such property was pledged in the name of Bell, and produced them at Lambeth-street on Monday last.

RICHARD GRIFFITHS. I am assistant to my father, who is a pawnbroker in Commercial-road. I know Sarah Bell by sight—a shirt and two pairs of stockings were pledged with us for 5*s.*—I cannot tell who by, positively, but I believe her to be the person—the prosecutor claims the shirt.

STARKIE—GUILTY. Aged 29. } Transported for Seven Years.
BELL—GUILTY. Aged 37. }

(There was another indictment against the prisoners.)

Third Jury, before Mr. Recorder.

1082. CHARLES ELLIOTT and GEORGE REED were indicted for stealing, on the 31st of March, 11lbs. weight of pork, value 6*s.* 6*d.*, the goods of John Bosworth; to which

ELLIOTT pleaded GUILTY.—Confined Six Weeks.

WILLIAM HOOKER (*police-sergeant D* 3.) On the afternoon of the 31st of March I saw the prisoners in company with two others, going to different shops—I saw them pass the prosecutor's shop about fifteen yards, and they stopped all four together in conversation—I saw Elliott go back to the shop and drag a piece of pork out—the others were quite near enough to see what he did—he then went down Seymour-place, turned a corner, crossed the road, and joined the other three again, and seemed in conversation with them—they all went down Seymour-place together—he had the pork under his coat—I went up to him, and seized him—we struggled and fell, I undermost—when I got up I saw Read running—I called "Stop thief," and after some time he was brought back—I secured Elliott with the pork, and in going to the station-house he said he did it through want—while I was searching Read, he said, "I certainly did speak to him, but I did not know any thing of him"—I had watched them, and seen them in communication at different shops—each could see what the others did.

JOHN BOSWORTH. I am a butcher, and live in Crawford-street. The pork found on Elliott is my property—I lost it on the 31st of March from my shopboard, inside the shop.

Reed's Defence. I met Elliott and the other two—I had just bid them good night, and was going home—I did not see him take the pork—I never did such a thing in my life—I always thought Elliott to be a respectable young man—I have lived in several gentlemen's families.

(The prisoner received an excellent character.)

NOT GUILTY.

1083. JOHN APPLEBY MARLOW was indicted for a misdemeanor.

MR. JONES *conducted the Prosecution.*

WILLIAM SHANE. I am warehouseman to Robert Davis Rea, wholesale cheesemonger, in Upper Thames-street. On the 10th of March the prisoner came to our shop, and inquired if we had any fine butter—I said we had—he said Mr. Swainson had sent him down for a cask, as he had not a pound of that description to go on with—I showed him some, which he did not approve of—I showed him some more, and he said that would do—it weighed from 50lb. to 60lb., and I think it came to 2*l.* 6*s.* 2*d.*—before he took it away I required him to sign his name to a receipt for it—this is it—he signed "C. Dix" in my presence—he said Mr. Swainson was very ill with the headach, that he was subject to it, and unfortunately it occurred almost every Saturday—that was his day, and he was in his employment every Saturday regularly, and in consequence of his having a headach, he was obliged to have a person of the name of Temple in the shop, to assist him.

Cross-examined by MR. DOANE. *Q.* What did he say when Mr. Swainson's name was first mentioned? *A.* I think he said, "I am sent by Mr. Swainson"—he mentioned about the headach afterwards, while I was showing him the butter—I did not know anybody of the name of Dix—he was a stranger to me—it was about seven o'clock in the evening—I cannot say whether it had struck seven—it was after half-past six o'clock—it was about seven o'clock, to the best of my recollection.

COURT. *Q.* Did you let him have the butter on his representation that he came from Mr. Swainson? *A.* I did—I gave credit to Mr. Swainson—I have not a doubt of the prisoner being the man who came.

MR. DOANE. *Q.* Did you not express a doubt at one time? *A.* Never—I never said I thought he was the man, nor any thing of the kind—no person pointed him out to me—I pointed him out the first time I saw him.

JOHN SWAINSON. I am a cheesemonger, in Clare-market. The prisoner was in my service about two years ago, but not since—I had a person named Dix in my service, but he left me two years and a half ago—there is not the least resemblance between the prisoner and Dix—I did not desire the prisoner to go to Mr. Rea's warehouse, on the 10th of March, to get a cask of butter, nor at any time about that period—I did not receive any cask of butter.

ALFRED JAMES. I am in the service of Mr. Swainson. On the 10th of March I was sent out on an errand—I had just got as far as the corner of Clare-street, when the prisoner touched me on the shoulder, and asked me if I lived with Mr. Swainson—I said I did—he then asked me if Mr. Rea's cart had been at Mr. Swainson's that week—I said I did not know his servant, but I did not think he had—he then left me, went down Clare-street, and I went on my errand—I afterwards saw the prisoner at the Compter, and identified him as the man who had spoken to me.

Cross-examined. *Q.* Did you say, when you saw him at the Compter, that you thought he was a little like the man? *A.* No—there were a number together—the gaoler asked me if I saw the man among them—I looked and said, "That is the man," pointing to the prisoner—those were the words I made use of—I did not qualify them in any way—he was with me two or three minutes—not longer—it was about forty or fifty yards

from my master's—it was from six to a quarter-past six o'clock—nothing with him, that I saw.

WILLIAM SMITH. I have known the prisoner about three ye both lived at Mr. Swainson's together, and I have known him si the evening of the 10th of March, between six and seven o'cloc him at the corner of Blackmore-street, where Mr. Swainson lives—h me if I had been to Mr. Swainson's lately—I said no, I had not had heard Mr. Swainson had a bad headach, and Mr. Temple wa there—I went on as far as Chancery-lane, and left him in Fleet-st the left-hand side of the way—I do not know in what direction he I went down the Temple.

Cross-examined. *Q.* What time was it after you left Fleet-stre I cannot say nearer than between six and seven o'clock—we walke from Blackmore-street, past St. Clement's Church through the Bar with him about ten minutes—he had a female with him—he me Drury-lane—he went away with her in Fleet-street, and returned the corner of Chancery-lane—he was alone when I left him.

JAMES SELWAY (*police-constable F* 11.) I took the prisoner i tody—he asked what he was taken for—I told him for taking a butter from Mr. Rea—he said he never did.

MR. DOANE *called*

ELIZABETH COMPTON. I am single. I know the prisoner—o day, the 10th of March, I was in his company—I do not know the Smith—I did not see him that evening—it could not have been me with the prisoner—I met the prisoner at the corner of Blackmore-st an oil-shop, as I was going to market—I spoke to him as I passed—to inquire the price of some meat, and returned and saw him again oil-shop—I went home to my mother's, who was ill, and came bac to purchase a neck of mutton, and I saw him again—it was from s half-past seven o'clock—I am confident it had struck seven—he butter with him when I saw him.

Q. If they say at the time you saw him by the oil-shop he was prosecutor's, it must be a mistake? *A.* It must—I went with h Drury-lane—he said to me, "Betsy, can you stand the market pen I said, "I am not quite so poor as that"—we went to some wine-v Drury-lane and had half a quartern of gin, for which I paid 2*d.*—then twenty minutes past seven by the clock there—he had no butt him up to that time.

COURT. *Q.* What time did you first see him? *A.* I saw him fro to half-past seven o'clock—we went to the gin shop before I to mutton home—I have no idea how long it would take a person to g Thames-street to Drury-lane.

MR. JONES. *Q.* Might it be a quarter past seven o'clock when y saw the prisoner that evening? *A.* No, I do not think it was—I have the prisoner between six and seven years—he is no relation of mine, neighbour—I had not seen him for a year and a half, I dare say, til him on this night—I know it was on the 11th of March I met him, ferring back to the four Saturday nights for what I went to market when I heard of his being taken, I found it was on the very night I the mutton that I saw him—he was with me when I went for it.

GUILTY. Aged 29.—Confined Twelve Months.

1084. WILLIAM CLARKE was indicted for feloniously breaking and entering the shop of Charles John Stewart, on the 19th of March, and stealing therein 6 printed books, value 1*l.* 10*s.*, his goods.

WILLIAM CRAWLEY. I am in the employ of Mr. Charles John Stewart, bookseller, in King William-street, Strand. On Monday evening, the 19th of March, about seven o'clock, I was in the back part of the shop, and heard a noise, as if the shop door was being opened—I went towards it, and saw the prisoner leaving the shop—he observed me, and ran away—I followed and came up with him, as he stumbled—he turned, and struck me—he was stopped at the farther corner of Chandos-steet, without my having lost sight of him—six volumes of Shakspeare were given me—I did not see them found—I missed six volumes of Shakspeare, which I had seen safe not five minutes before the prisoner quitted the door of the shop.

Cross-examined by MR. DOANE. *Q.* Did the person come into the shop? *A.* He did—I had a view of his whole person—I am sure he is the person—I saw him fall down—no one pushed him down—it was not six doors from our shop—it was not in the act of falling that he hit me—he struck me—I had endeavoured to take hold of him.

FRANCES GRAHAM. I am the wife of Joseph Graham, a painter, in Little Earl-street, Seven-dials. I was passing in King William-street, on the day in question—I heard a cry of "Stop thief," and saw a man running—I observed him fall, and as he fell, he dropped six books, and his hat fell off—I picked up the hat, and gave it to the young man who picked up the books.

Cross-examined. *Q.* Are you quite sure the books dropped from the person who fell? *A.* Quite sure—I did not see his face.

GEORGE PALMER (*police-constable F* 125.) I was on duty in Bedford-street—I saw the prisoner running up Chandos-street, followed by three or four persons—he was stopped, and I took him into Mr. Stewart's shop—he was without a hat—a hat was brought into the shop, and he said it was his—I received the books from Garner, a policeman.

(*Property produced and sworn to.*)

GUILTY. Aged 21.—Confined Six Months.

OLD COURT.—*Tuesday, April 9th*, 1838.

Second Jury, before Mr. Sergeant Arabin.

1085. SARAH WARD was indicted for stealing, on the 3rd of April, 2lbs. 14oz. weight of leather, value 5*s.*, the goods of John White.

(The prosecutor did not appear.)

NOT GUILTY.

1086. JAMES STEVENS was indicted for embezzlement.

CHARLES GAYLER. I am a farmer, at Longford, in Middlesex. The prisoner was a labourer of mine—on the 13th of January I sent him with half a load of hay, to Mr. Gosden, at Brompton, with authority to receive the money—on the 6th of February, I sent him with three-quarters of a load, to Mr. King—it was his duty to account to me for the money he received—on the 13th of January he returned, at night, and gave me 1*l.* 17*s.*—he said Mr. Gosden had no more change to pay him, and when he went there again he would give him the rest—on the 6th of February

he came, and said, "Mr. King had no more silver, and gave me 3*l.* 7*s.* 6*d.*, and said, next time I went to town he would give me the rest"—I sent another man next time with the hay, and discovered this.

Cross-examined by MR. PHILLIPS. *Q.* Had not the prisoner the misfortune to lose a sum of money of yours? *A.* On the 23rd of December he told me he was robbed of 11*l.* 16*s.*—he has only paid me 9*s.* out of it—he was to pay me 3*s.* a week.

JAMES GOSDEN. I am a fishmonger, and live at Fulham. I purchase hay from the prosecutor—on the 13th of January the prisoner brought me half a load of hay—I paid him 2*l.* 10*s.*

WILLIAM KING. On the 6th of February I paid the prisoner 4*l.* 2*s.* 6*d.* for three-quarters of a load of clover.

JOHN DOBSON. I am the constable of the parish. I apprehended the prisoner.

(The prisoner received a good character.)

GUILTY. Aged 21.—*Recommended to mercy by the Jury.*—Confined Six Months.

1087. THOMAS POWELL was indicted for stealing, on the 5th of April, 13oz. weight of cigars, value 1*l.* 5*s.*, the goods of Philip Costin.

ISABELLA COSTIN. I am the wife of Philip Costin, a tobacconist, in Agar-street, Strand. On the 5th of April I was in the room behind the shop, and saw the prisoner in the shop, kneeling in a chair, he leant over the counter, and reached a bundle of cigars out of the window—he got off the chair, and dropped them on the side of the counter—I went and stopped him from going out, by getting between him and the door—I asked him what he was doing with the cigars—he said he was doing nothing—he was very much confused, and asked me for a pennyworth of tobacco—two gentlemen were in my parlour—they came out—one held him while the other went for a policeman—he denied knowing any thing about the cigars.

Prisoner's Defence. I went into the shop, and asked for a pennyworth of tobacco—the lady was in the room, with two gentlemen—one gentleman came and collared me, till the policeman was fetched.

GUILTY.* Aged 20.—Transported for Seven Years.

Before Mr. Justice Patteson.

1088. BENJAMIN ALISON was indicted for the wilful murder of Emma Crips.

MR. ADOLPHUS *conducted the Prosecution.*

MARY CRIPS. I live at No. 3, Capel-court, New Stock Exchange. I was the aunt of Emma Crips—I live with my brother, who was her father—I had seen her body after it was opened—that was the body of Emma Crips—I saw her a few days after the 9th of November, it may be the Wednesday or Thursday following, at her father's house—the prisoner was with her—the conversation between her, Alison, and my brother, was very hostile, very threatening, and very abusive, on both sides; so much so, that my brother at last turned Alison out of the house, after he had threatened his life.

Cross-examined by MR. CLARKSON. *Q.* Both the deceased and the prisoner were very abusive to your brother? *A.* Both.

MARY ANN MILLS. I am the daughter of Charles Mills, and live at No. 84, Great Leonard-street, Shoreditch. The prisoner and a young woman engaged the back-parlour of our house—they passed as man and wife—I saw the young woman after she was dead, on the 1st of March, lying on the bed-sacking, in the back-parlour, in their lodgings—I looked through the key-hole of the door, because my mother had been very suspicious of them while they were in the house—the room door was locked—I had heard some one go out of the room, about twenty-five minutes before nine o'clock—I do not know who it was—the door was locked, and the key was taken away—on looking through the key-hole, I saw Emma Crips lying on the sacking of the bed, a little before ten o'clock—I then sent for the parish surgeon, Mr. Finer, who broke the door open—I thought she was dead—I had heard no noise in the night, nor any thing of the kind—the prisoner used to be in bed very late—he used not to go out till about twelve o'clock—in consequence of what I was informed, I searched the room, and the place near it, to discover if anybody had been sick there, but I saw no such signs.

Cross-examined. *Q.* How long had they lived in the house before the morning when this happened? *A.* A fortnight and two days—it was a single room which they took—it had been furnished by my mother—they were to pay 3*s.* 6*d.* a week—they did not pay their rent—when they came to the lodgings they had nothing in the world with them but a piece of bread and butter—they had not got a change of clothes, and were very indifferently covered with those they had—my mother supplied them with bed and bedding, bolster and pillows, and a table—they were not particularly destitute when they came—I did not know before this occurrence took place, that he had pawned the bed—I saw the body of the girl lying on the sacking—when I got into the room there was no bed—the pillows were flock, they were not taken away—they were good for nothing, you could raise nothing on them—there was no covering of any kind left for them, except one blanket and the counterpane—they represented themselves as man and wife when they came—the prisoner gave his right name of Alison—they sent for some coals when they were with us, which came to tenpence—they were paid for—I think they had half-a-hundred weight besides, but I do not know.

MR. ADOLPHUS. *Q.* Were these lodgings let as furnished by your mother? *A.* Yes; it was not expected that persons taking them should bring furniture with them—I did not know of their having made away with their bed, or any thing, till after the female was dead—I do not know in what state they were as to abundance or want, except that they did not pay their rent.

EDITHA MILLS. I am the wife of Charles Mills. He keeps the house where this young woman died—the prisoner and her took our lodgings on the 13th of February—they never paid any rent—they had been asked for it—on the morning the young woman was discovered to be dead, I heard some person leave the room, and I came to the door to look who it might be—this was twenty-five minutes before nine o'clock—the person who left the room went out at the street door, walking quickly away—I went after them, but could not see them—I heard a lock of a door turned, and I supposed it to be their door—there was no key left in the door—I sleep in the two-pair front room—I heard nothing at all pass in the night—I saw the

prisoner no more that day till the evening, when he returned with his mother, aunt, and sister.

SOPHIA BOSANKOE. I lodge in Mr. Mills's front-parlour, that is the next room to that in which the prisoner and the deceased lived—I remember the body being found dead on Thursday—in the course of the Wednesday night before that, I heard some person sick in the prisoner's room—I heard, likewise, a person moan—I should say that was another person—I should say it was a female voice that moaned—I then heard a person come out of the room, and go down into the yard—the person came in again, fastened up the yard-door, and went down stairs into the kitchen—he came up stairs again from the kitchen, and went into Alison's room—I heard a male voice ask for a handkerchief—I went to sleep, and thought no more of it till the next morning—on the following morning I heard Alison go out about half-past eight o'clock, I believe—I guess the time, I had no watch—I afterwards heard of the dead body being in the room—I did not search the room, or any parts of the house, to see if there were any marks of sickness—the officer did, I believe—I saw nothing of any sickness.

Cross-examined by MR. DOANE. *Q.* You remember this night very well? *A.* Yes, I believe it was a very wet night—I heard a male person open the back-door, and I suppose go into the yard—the yard is open to the sky—I cannot say what time it was—my room was quite dark—I went to bed, I think, about eleven o'clock—I cannot tell how soon it was after I had been to bed, as I had been to sleep—for any thing I know it might have been an hour—it was after the person had got back into the room that I heard him asking for a handkerchief—I heard no answer given to that question.

WILLIAM FINER. I am a surgeon, and live at No. 102, Curtain-road. I have the medical treatment of part of the poor of the parish—on the morning of Thursday, the 1st of March, I was called to the house where Mills lives, to the ground-floor back-room—the door was locked, and the key had been taken out—I looked through the key-hole, and there saw the body of some person lying apparently dead—I could see by the bed-clothes that there was no vitality, because there was no motion—I forced the door open with my knee, and on entering found the body of a female, which has since been proved to be Emma Crips—the features of the face were those of a person who had died in a fit—she was perfectly dead, and from the little warmth that remained, I should suppose she must have been dead, varying from two to three hours—this was near upon ten o'clock in the morning—I cannot say for certain how long she had been dead—I hastily, at that time, looked over her person generally, but perceived no marks of violence about her, and no external cause to account for her death—on the table I perceived the fragments of some bread, and little portions of meat, two phials, and two tea-cups—the phials and the tea-cups, each of them, appeared to have contained laudanum—by the smell and taste of each of them, I am satisfied of its being laudanum, and I should judge of the usual strength—on one phial was written, "Poison," and on the other, "Laudanum, poison," and part of the label of a particular chemist—I saw two papers on the table—I examined the body of Emma Crips externally, and found no bruises or marks whatever—on the Saturday morning, by order of the beadle, I made a *post mortem* examination of the body, and examined the stomach and intestines with care—I could find no traces of laudanum—I found nothing but the remains of the ordinary food

she had taken—I found nothing of a deleterious character, nor any thing to induce me to suppose that she had taken poison—I then proceeded to examine the head, and found the vessels of the brain highly congested, and in the base of the skull a quantity of bloody serum, quite sufficient to occasion oppression on the brain, and to be the cause of death—I found the food of a light meal in the stomach in a state digested—rather in the *duodenum* than in the stomach, it had been digested—if laudanum had been taken, at or about the same time with the food, the food would have taken it up, the laudanum would have been absent—there was no smell of laudanum in the contents of the stomach, and there was nothing to disguise the smell; therefore, had laudanum been present, it would very easily have been detected.

Q. Would that be so if the food had got to the *duodenum*? *A.* I believe vegetable poison is so when taken up, so that we can hardly expect it to be found in the stomach, if digestion had taken place—if the food and laudanum had been taken at supper overnight, and I not examine the body for two or three days, the smell and appearance of laudanum would most decidedly have escaped—I should have expected that it would—the appearance I observed about the brain very much corresponded with the appearances usually observed in cases of death from laudanum.

Cross-examined by Mr. Doane. *Q.* You expected to find laudanum there, did you not? *A.* Yes, I examined the stomach with that view—it was the contents of the duodenum, rather than of the stomach, that I examined—I forced them back on purpose—there was a moderate proportion of food, I think about a tea-cup full of digested matter, in the *duodenum*, not much more—if sickness was not produced as a consequence, I should expect to find some smell, if three-quarters of a tea-cup full had been taken.

Court. *Q.* What size tea-cups were those you saw? *A.* From four to six ounce—the ordinary size tea-cup.

Mr. Doane. *Q.* Supposing that a quantity of laudanum had been taken on Wednesday night, am I to understand you to state, as a medical man, that in all probability there must have been traces of laudanum at the time you examined the *duodenum*? *A.* I must state in reply, that a considerable time had elapsed from the time of its being taken, and I would say the two bottles together would not hold so much laudanum—I should think to a person unused to laudanum that quantity would occasion death so quickly that there might be a portion of it remain in the stomach, but when the functions go on for a considerable time after, we must expect absorption to go on.

Court. *Q.* You think if three-fourths of a tea-cup full were taken by a person not used to take it, death would follow so quickly, that a portion of the laudanum would be found in the stomach unmixed? *A.* Yes.

Mr. Doane. *Q.* You found some bottles there? *A.* I did—if they were each filled two or three times, they would fill each cup three-fourths full—the bottles themselves would have contained twelve drachms, or not quite so much as an ounce and a half—one was a half-ounce, and the other an ounce phial—if I had not seen the cups and phials, and had not heard any thing from any person, I should not have been able to say that the woman came to her death by poison—from the mere examination of the body itself, I should not have expected any thing of the kind—the

body was not at all in an emaciated state—quite the reverse—she was extremely fat—there was nothing to lead me to suppose that she was in destitute circumstances, from the appearance of the body, but the place was extremely destitute in appearance—in personal appearance she was very fat—from what I observed of the body, the appearances were consistent with her having died from apoplexy—she died from apoplexy, from pressure of the fluid, the bloody serum on the brain—I cannot say whether that would be accelerated by taking a meal at the time the poison was taken into the stomach, after some abstinence—it might be produced by a variety of causes, independent of the meal—it is very usual for apoplexy to come on during the night, particularly after a hearty supper, and the remains of supper being on the table, I may suppose they ate to satiety.

MR. ADOLPHUS. *Q.* With respect to the size of the phials, if I understand you rightly, the two together would contain one ounce and a half of liquid? *A.* About that quantity—a tea-cup varies from four to six ounces—to fill a tea-cup the phials must have been filled and emptied several times—there was no vestige in the room of any thing besides, that had contained laudanum.

Q. Would the contents of the two phials, divided between two persons, have been sufficient to cause the death of either of them? *A.* Very small doses of laudanum, smaller than that, have been the cause of death—three-quarters of an ounce is, with many individuals, about sufficient to cause death—at the same time, by habit, enormous quantities have been taken—the appearance of apoplexy would be the result of having taken laudanum into the stomach—laudanum will destroy life sometimes by producing apoplexy—that appeared to be the case in this instance—supposing it to have been taken, there was nothing at all in the appearances I saw, inconsistent with the supposition of death having been caused by taking laudanum.

COURT. *Q.* Was there any thing in the appearances which could not be caused by laudanum? *A.* No; but at the same time those appearances might be occasioned by other causes, for instance, extreme anxiety of mind, ardent spirits, and some states of fever might produce the same appearance—Mr. Holmes assisted me in the examination of the body.

LUKE HOLMES. I am a surgeon, living in the Kingsland-road. I assisted Mr. Finer in the *post mortem* examination of Emma Crips on the Saturday—I found her a very fat, healthy subject—on opening the stomach I found it perfectly healthy—the contents were digested to a certain extent, and might contain six, or from that to eight ounces—there was nothing deleterious found in the stomach—no smell or traces of laudanum whatever—the head was next opened—the vessels of the brain were large and full, with a quantity of serous fluid, tinged with blood, at the base of the brain—that I believe is as much as I observed.

Q. If the laudanum was mixed with food, and digested, and got into the duodenum, would that do away with all appearance or smell of laudanum? *A.* That is a question of great doubt—I have not known an instance of the kind—it is a very doubtful question to answer—I believe it to be possible that a quantity of laudanum, sufficient to cause death in seven or eight hours, might be so absorbed as to leave no traces of it.

Cross-examined by MR. DOANE. *Q.* If you had not heard any thing about laudanum, should you have been able to account for the death? *A.*

On opening the head I should have supposed that death was caused by apoplexy.

Mr. Adolphus. *Q.* Are the appearances at all inconsistent with her having died from the effects of laudanum? *A.* Not at all.

Charles Wood. I live in Kingsland-road, Shoreditch, and am an assistant to Mr. Beare; we sell laudanum at our shop. At the latter end of February, or the beginning of March, the prisoner applied to purchase some laudanum—he wanted a small quantity—I asked him who and what it was for—he said it was for a medical gentleman, who was accustomed to take laudanum—I let him have a small portion—sixty drops, and after labelling the phial, "Laudanum, Poison," he paid 1*d.* for it, and left the shop—it was a half-ounce phial—I have seen a phial which was found at the lodgings—I should say that was the same—the label was printed—it was on when I saw it afterwards—he brought the phial with him—I should say that was not enough to destroy or do mischief to any one—he did not come to me again after that.

William Willis. I am an assistant to Mr. Eaton, and live in High-street, Shoreditch. The prisoner came to our shop on the 26th or 27th of February, and asked for an ounce of laudanum—I said, "We do not sell so large a quantity"—he then said, "What quantity can I have?"—I said, "One pennyworth, which is forty drops"—he said, "Let me have it," which I did—it was put into an ounce bottle of ours.

Court. *Q.* That would not be half full? *A.* No, not one-sixth—he came again on the following morning, and asked for an ounce of laudanum—I replied again, "We do not sell so large a quantity, and besides I have let you have some already, and will not let you have any more," and I did not.

Hugh Lewis. I live in High-street, Shoreditch, and am a surgeon. The prisoner called at our shop, either on Monday or Tuesday, the 26th or 27th of February—he asked for a small quantity of laudanum—he said it was for himself to take for the rheumatism—he produced a phial himself—we put one of our labels on it, and it was written on—he appeared perfectly sensible and rational at the time—I sold him one drachm—that is about sixty drops—"laudanum" was written on it.

Cross-examined by Mr. Doane. *Q.* Are you sure that there were sixty drops? *A.* Yes, perfectly sure—a very minute bottle might make eighty, ninety, or a hundred drops from a drachm, but with the bottle he had, it could not exceed sixty drops—there might be sixty or eighty drops—you can spin it out to eighty—I do not exactly remember what he paid for it.

Mr. Adolphus. *Q.* Drops will drop in different sizes according to the size of the mouth of the bottle? *A.* Yes; there is a graduated phial which will drop according to directions.

John Scott. I am waiter at a beer-shop, No. 167, Whitecross-street. On Thursday morning, the 12th of March, the prisoner came to our shop about twelve o'clock—I do not know what he asked for at the bar—he brought a pint of beer in his hand into the tap-room—he called for the newspaper, and brought the Dispatch in with him from the bar—he called for another paper, and a daily paper was brought into him—he had two papers—in the course of an hour after his coming, he called for a slice of bread and butter—he sat there reading the papers till about five o'clock—I was in and out of the room, and at one time sat by his side for

nearly an hour—then he went away—he showed no signs of sickness in my presence, nor did he go to sleep, that I am aware of.

WILLIAM ATTFIELD. I am an officer belonging to Worship-street. I fetched the prisoner from Clerkenwell prison, on Wednesday morning, the 7th of March, to the office in Worship-street to be examined—I saw him in the yard, immediately before I came out of the gaol, tucking this paper under his arm—I asked him for it, and he reluctantly gave it to me—he did not tell me whose writing it was.

WILLIAM DEARMAN. I am a policeman. I apprehended the prisoner at his lodgings, No. 84, Leonard-street—this paper (*looking at it*) was not on his person when I searched him on the 1st of March—I saw it produced by Attfield before the Grand Jury—the prisoner did not say any thing about it then in my hearing—he did not say whose writing it was.

JOHN ADOLPHUS GEORGE BOUSTRED. I am clerk to the Magistrate at Worship-street. I was present at the examination of the prisoner before Mr. Grove—he then made a declaration with respect to the offence he was charged with—neither Mr. Grove, nor any one else encouraged or induced him to say any thing—he was not at all threatened nor promised any thing—I took down his declaration, word for word, as he uttered it—I write shorthand—on the subsequent examination I read it over to him in common writing—he said it was perfectly true, but he wished to add something further—he then added something—he did not sign it, which was by the advice of his attorney, I believe.

Cross-examined by MR. DOANE. *Q.* Was his adviser present when he made the statement? *A.* I believe not—the whole of it was read over to him—that was on the second occasion, after I reduced it to common writing—the Justice was present at the time—the prisoner did not give any reason why he refused to sign it.—(*reads.*)

"Thursday, March 2nd, 1838.—We both agreed to take poison—on Monday, we talked about hanging ourselves—and on Tuesday night we agreed to take it—but we did not take it till the Wednesday night—it was about ½oz. of Laudanum—I bought it at several places in Shoreditch—I bought forty drops at one place—I cannot say how many drops I got—I got about twenty drops at two or three places—I got it in a small bottle which I took three or four times—I had it three times full—I took altogether three quarters of a tea-cup full, and so did she—we both laid down on the bed together—it was about 10 o'clock—in about a quarter of an hour I felt very sick—at six o'clock yesterday morning she was awake and breathing—I awoke again at nine o'clock—she felt cold, and I put my hand against her mouth—I lit a lucifer-match, which I held over her mouth, but I could not see any breath come from her—I got up and went to my mother's down Whitecross-street, and did not know what to do—she told me not to go for a medical man—she was quite dead when she was cold—I had half-a-pint of ale at a beer-shop in Whitecross-street—I do not know how long I was there, but I fell asleep—I went to mother's about five o'clock in the afternoon—I suppose I was at the beer-shop from the time I left home till I went to mother's—I locked the door when I went out—if I had sent for a medical man I had no money to pay him—we were in very great distress at the time, having pawned the bed clothes to support us—I had 300*l.* left me in May last, but I spent it in my support.

7th of March, 1838. (*The prisoner further states*)—"I was in very great

distress, completely starving—I am fully innocent of giving her the poison —we wished to die in each other's arms—we broke off a small piece of bread, and laid down on the bed directly, and we both drank it together.

SUSANNAH ALISON *examined by* MR. DOANE. The prisoner is a son of mine—on the Thursday before he was taken up, he came to me about half past 5 o'clock in the afternoon, as near as I can tell—I went with him to the place where the deceased was—he came and asked me to go—it was at that very place that he was taken into custody by the police—his father has been dead for some years—he died in a lunatic asylum—he was at Holly-house for a fortnight—we were frequently obliged to watch him for two or three years, his mind was in that deranged state—he was continually unsound—he was obliged to be watched for two or three years—when I saw the prisoner on this Thursday he told me what had happened—he appeared very much agitated—I have often found him in a state of mental excitement, and have not considered him at times to know what he either said or did.

MR. ADOLPHUS. *Q.* Pray how long has your husband been dead? *A.* Three years last August—he was in confinement at Holly-house between three and four years before he died—that is seven years ago —the prisoner will be twenty-two on the 24th of this month—he was never under confinement for any lunacy, nor an improper state of mind—he has not been for some time in any full employ—he assisted me before he went away with the deceased—I sell shell-fish near the Royal Exchange—he assisted me in going to market, and doing what was to be done—he was not employed in any way for two or three years—he was once employed as errand-boy in the office of Mr. Gotard, a notary—he was not there when he went away with Crips—he had not been there for a length of time—he was at home assisting—he was with a stock-broker about twelve months or more—I think he left when he was between nineteen and twenty —he left me, and went to live with Crips, on the 14th of June last.

COURT. *Q.* They might have been acquainted before that time? *A.* I believe they had been a long time—I do not recollect that he had been with anybody else—he was with me till he went to the stock-broker—he was with the notary before he was with the stock-broker, and when he was between twelve and thirteen he was with a stock-broker—my husband took him from Mr. Gotard's to place him with a pawnbroker, but he did not like it—I did not go to any one of these persons to tell them that my son was liable to any infirmity of mind, and desire them to take care of him—I had not seen him before I saw him on Thursday afternoon—I saw him on the Tuesday evening—he was in a state of great agitation—he did not tell me where he had been at that time—Emma Crips was not with him on Tuesday when he came to me—he did not stop five minutes.

GUILTY. Aged 21.—Death recorded.

Before Mr. Justice Patteson.

1089. SIMON MARRIOTT was indicted for the wilful murder of Mary Warner.

MESSRS. BODKIN AND BALLANTINE *conducted the Prosecution.*

JANE GODWIN. I am the wife of Richard Godwin, and live at No. 15, Red Lion-street, Holborn. I know the prisoner—I went to lodge in his house on the 14th of August last—the house was at No. 2, Dolphin-place, Holborn—I knew the deceased, Mary Warner—I saw her on the first day I went—she appeared to be rather old—I saw her at the kitchen window

in front of the house—it is a kind of long window—I believe only one pane opens in it—it looks into a sort of area, but I cannot call it an area, it is more like a hole—the window is below the level of the street—when I went there the pane of glass was in—two days after I went to lodge there I heard the deceased crying—I did not speak to the prisoner about it at that time, but I did about a week afterwards, when I heard her again, and his answer was that he was coming to her—I did not hear him go to her then—I heard her cry again, and I called him again—that was a few days after the other—on that occasion he went to her—I heard him open the door, and speak to her—I did not hear him come out again—I did not hear what he said—I left the house on the 30th of October—I never, on any occasion of the prisoner's going to her when she has been crying, heard what he has said—the door of the kitchen was in a confined sort of a place—it was always locked—I learnt that by her crying about half-past eight o'clock one night—she was screaming "Murder" dreadfully, crying to be let out—I have seen the prisoner come out, and saw him lock the door always when he came out—I went and tried it once, and found it locked—on the night she cried "Murder" I heard her trying to get out—she did not succeed—that was the occasion on which I tried the door, and found it shut—I then communicated with the rest of the lodgers—I went into Mr. Marriott's house, which is No. 1—I lived in No. 2—the old lady lived at No. 2—I went down with them to the kitchen, and we put a candle through the pane of glass, to help her to see herself to bed—it was half-past eight o'clock in the evening, about the middle of October, about a fortnight before I left—there was no light in the kitchen the whole of the time I lived in the house—I never saw any light in the kitchen—I never saw a fire—I had a large fire myself—it was cold at the latter end of August—I lived in the back parlour—when I looked through the window, with the assistance of the candle, I saw the old lady—she was undressed—she had only her shift and stockings on—I could not see her get into bed, because the bedstead was in a corner—the night she was screaming dreadfully, I went down stairs and asked her for the key, and said "You have locked yourself in"—she said, "No, I have not"—I said, "You had better give me the key through the door; you have locked the door"—she said, "No; I have never had a key; I have always been locked in since I have been here"—I spoke to the prisoner three times on the subject of the old woman, and he always said he was coming—he never expressed himself in any way about the old woman—when he said he was coming, I never heard him go to her—I must have seen him if he had gone—I did see him go once, but not at the time I called him—on one occasion I saw the kitchen door open, and heard the prisoner reading something, which I believe to be a Bible—on that occasion the deceased appeared contented—I never heard him do any thing to her on any other occasion—a few days after that I heard her crying again—I told the prisoner of it—I did not hear him go into the kitchen then—she got out of the kitchen one day, and got up stairs to the third floor—the prisoner came to me, and said, "Mrs. Godwin, have you seen any thing of the old woman?"—I said, no, I had not seen her—she went up stairs, and he found her on the third floor—when he came down he said, "What are you doing up here?"—I did not hear her reply—he said, "You are too dirty to be seen"—she said she could not help it. and I heard her crying—I was never in the kitchen—I never saw any of the lodgers, except the old woman, in it—the door was never open when

the candle was put in at the window, it was from the area—there was the commonest sort of furniture in the kitchen—she looked round, and said, why should she be locked up in that hole, she had property, Mr. Marriott had taken her property—(my furniture was my own—I believe the prisoner let no furnished lodgings)—she said she would rather be in a workhouse than be locked up where she was—I never heard her complain of want of food.

Cross-examined by Mr. Payne. *Q.* How long before you left was it that this happened about the cry of murder? *A.* In the middle of October, about a fortnight before I left—Mr. Marriott always locked her in the room—I asked her for the key one evening, not knowing that Mr. Marriott had locked her in—I never saw her with a stick—I cannot say that she was lame—I think she was not—I will not swear it—she stooped a little—there was a Mrs. Marriott—I never saw Mrs. Marriott go to her but once—I was generally at home—I was obliged to go out some times—I was the greatest part of the time at home—my husband is a lawyer's clerk, and he lives at home—he supports me, and has a family of three children—I did not tell Mr. Marriott of the cry of murder and police, and putting the candle into the hole, but the lodgers did, because they told me so—I never saw Mrs. Marriott go to the woman but once—I never looked into the kitchen in the daytime—I never could see the lady—I am not in the habit of going out in the evening—when Mr. Marriott found I spoke about the old lady, he gave me notice to quit—I never knew any other reason—he did not tell me, at the time he gave me notice, that it was for bad conduct, and that I should not stay in the house any longer—I have seen a Mrs. Cruikshanks—she lived in the same house with me—I was examined before the Coroner—I had a large fire in my room at the latter end of August—the cry of "Murder" and "police" took place about half-past eight o'clock in the evening—it was dark—the old lady was not in bed when we saw her—I did not understand that she had fallen out of bed—I understood that she wanted to get into bed—she was undressed—I did not tell Mr. Marriott of that—I was married at Paris—I have been married seven years to the lawyer's clerk—we were married at St. Rolph's chapel—the last situation my husband had in England was in Sergeant's Inn, in Fleet-street—I can hardly think of the name of the person he was clerk to there—that was about six months ago—he has been to Belgium—I have not been with him—he went there at the time he left—it was Mr. Fiddey he was with—I cannot tell why he left Mr. Fiddey—he has been two months at Belgium, and is not come back—he left Mr. Fiddey about a month before he went to Belgium—I have maintained myself since by his sending backwards and forwards—he was in Belgium when I last heard from him—I cannot say where he is now—I was married by a Catholic priest—I am not a Catholic, but my husband is—I became acquainted with him in this country—I might be as well married at Paris as here—we travelled together to Paris, and certain parties with us—I cannot say exactly whose employ he was in at the time—he was a lawyer's clerk then—I have no certificate of my marriage with me—it is at home—it is in the French language—I understand very little French—I cannot tell the name of the town in Belgium from which I last heard from my husband, unless I had his letter here—I was before the Magistrate—I was not asked for my certificate.

Mr. Ballantine. *Q.* Is there any pretence for insinuating you are not married? *A.* Not that I know of—there were other lodgers in the house besides me—I do not know of their complaining to the pri-

soner of the ill-treatment received by the old woman—I know that the other lodgers left, but why, I cannot tell—one left before me—she was not sent out of the house because she was a nuisance—she gave the prisoner notice, and he gave her notice after that, I believe—I did not give him notice—he gave me notice—he did not say why—he desired me to stop a few days if I was not suited.

MARTHA SMITH. I am single. I now live at No. 15, Quicksett-row, New-road. In April, 1837, I went to lodge at No. 1, Dolphin-place—I did not know the deceased by name—I know an old woman lived in the house—I saw her the night she was brought there, which was about a month or six weeks after the time I went to live there—I saw her in the passage with Mrs. Marriott—she occupied the back parlour of the house No. 2—I should say she occupied it not more than three weeks or a month at the most—after leaving the back parlour, she went into the front kitchen—I was in it the day it was prepared for her reception—there was furniture brought the night she came—she was brought to No. 1 at first—that was the night the furniture was brought—I do not know how much furniture there was—I believe some part of it was sold—I have seen the prisoner cleaning up furniture for sale—I do not know whether that was any part of the furniture that was brought in for her—I did not not see that furniture at all—it was brought in in the night—there was no furniture in the kitchen subsequent to the day I saw it—I cannot say whether she went into it that night or the next day—Mrs. Marriott said it was being prepared for her reception—I saw her in it the same week—I never heard the prisoner or his wife talking to Mrs. Warner—I never heard her name till after her death—I left on the 14th, and she died on the 19th—I used to ask after her as the old lady—he and his wife used to tell me repeatedly that she was well, and better than I was—I lived there from April till the 14th of February this year—at the time I left the old lady was alive—the servant has been standing at the door, and Mrs. Warner has walked about Dolphin-place, and talked to me—for five months before her death I never saw her out of her room—I have spoken to her in the kitchen before Mrs. Marriott—about the middle of October, I was sitting in the parlour occupied by Mrs. Robinson, in the house No. 1—there came repeated knocks at the door for Mr. Marriott—they were not answered by him—he was not in the house at the time, nor his wife—we went to the door, and I went with Mrs. Godwin—Mrs. Warner was screaming "Murder," and trying to get out—the entrance to the kitchen is from the area of the house No. 1, over a sink—you might go from the house No. 2—when I heard the scream, Mrs. Robinson and Mrs. Godwin went through to the door, out of the area, with a candle—I staid above—I went to the gate to try and find a policeman to come, but I could not see one—the old lady came to the window—she said that she had got out of bed and could not get in again; and she wanted to get away from there—there was no fire in the room, and she had no light, and it was about half-past eight o'clock at night—she said they had got her clothes—she did not mention names—she said they had got her clothes and furniture—all she seemed to want was to get away—I was absent part of the time while Mrs. Robinson was holding the light—I have spoken to the prisoner about the old lady—I was cleaning a few knives and forks once, and the servant came and locked the door of the kitchen, and jumped over the place where I was standing, which is where the sink is where

hey get over—I saw Fillingham the servant lock the door, and bring the :ey—the prisoner was standing at the sink of his own house, by the :itchen-door—I said, "How dull that poor old soul must be, shut up in a :itchen, after being used to a house to range about in"—he said, "How do 'ou know she has been used to a house to range about in?"—I said, "From vhat you said yourself"—he said, "It would be much better for you to mind 'our own business;" and I said no more—I have seen the prisoner take ood to the old lady three or four times—when I first saw the old lady, she ppeared remarkably well, and her spirits very good—I should say I had ıot seen her for six weeks or two months before I left the house—she then ppeared remarkably dejected, and very much neglected and dirty—she egged of me on one occasion to come down stairs and comb her hair—uring the time the servants were there, the first servant in particular, she ppeared always clean—that was the time she was living in the back arlour—I have been in the kitchen—there was nothing there but a dresser nd fire-grate when I saw it.

Cross-examined by Mr. Doane. *Q.* Do you know where the station-ouse is in your district? *A.* No—I have an idea of course—I have seen policeman in the streets—I did not complain to the police that the poor reature was cruelly treated—I did not think she was treated kindly, being ocked up—I thought it cruel—I must say I did think she was cruelly reated—I mentioned it to Mr. Bernescol, hoping he would mention it—I new if I mentioned it I should get into disgrace—I mentioned it to all ıy friends—I left it to others to mention it to the police—I did not tell ıe prisoner about hearing the cry of murder—it was after I had been told to ınd my own business—she wanted then to get out of the place—she had a ed-gown on, and appeared as if she had been to bed—she was exceed-ıgly excited, and was crying dreadfully—she wanted to get out—she was attering the door with a stick—she was soothed after we had been there bout half an hour.

Q. Was she an infirm old lady? *A.* She walked without assistance -I have seen her walk on more occasions than one up and down Dolphin-lace, but not for five months previous to my leaving—the weather has een very severe this winter—I have been in the habit of asking after the ld lady, and the prisoner used to say, "Why, my dear, she is better than ou"—my health has been very good—I am twenty-four years old—I ınk she was seventy-four—it is as much as five months since I have en her—my uncle and sister were living at the same place—I do not ve there now—they live there still, but are going to leave—they would not ave stopped so long if they could have got apartments to suit—I left on the 4th of February—I had a few words with my uncle, and I said we had better art friendly than unfriendly—I am now residing with a friend in the New oad—a married woman, who has a family—my sister is living with my ncle at present—I never was out but on one occasion after twelve o'clock, ıd then I went to the theatre—the quarrel was not about my being out te—my uncle is sometimes out, and sometimes at home—I do not follow ıy business—I did then—I did work both at home, and out—I was more equently out than at home in the daytime, but I was mostly at home at eal times—I do not wish to insinuate that the old woman had not above three eals in ten months—I have known both Mr. and Mrs. Marriott take her od—when I heard the cry of murder I told my uncle of it when he came ome, but he is a dreadfully nervous man, and I dared not interfere on that count—*I told him a few things* that I had seen, but not all—my sister

was away from home—she was away for months together—what has happened has always been when my sister has been away, I suppose—I did tell her, and she said I had better not interfere in it, I should get into anger with my uncle—that was the reason why I did not mention it to the police—there were other persons that took it up as well as me—I partly supported myself by needlework—before the deceased occupied the kitchen it was occupied by another lodger—I do not know how long the lodger had left it—it was a room which had been occupied—I have been in the kitchen—I cannot say whether it was eighteen feet long—it is a boarded kitchen—by the window it is light, but by the fire it is dark—it is a large window, by which the light comes in two ways to the room—it is angular—if there was a screen to the window, a person outside could not see the fire—I have never been into the back parlour, which the deceased had before she went to the kitchen—I have been in the front parlour, over the kitchen—there are two kitchens—I do not know how many lodgers there were when the old lady was there—the house was full—they had one common place to go to get water—in order for the lodgers to get water, it was necessary for them to pass the door of the kitchen, where she was—on one occasion, she asked me to comb her hair—I did not do it—when the door was locked, how could I do it?

Q. Although the door was locked she was in that state of mind to ask you to comb her hair? *A.* She wished for assistance—there were two servants, one after the other—I should say I saw her last, full two months before this happened—it might have been in January—the furniture came in the evening—I do not know who bought or paid for it.

MR. BALLANTINE. *Q.* Up to the time the old lady went to live in the kitchen, had her conduct been quiet and peaceful? *A* As far as I know—I never before that time heard her call out murder, or complain of being under restraint—I have had conversations with her before that, and at different times, and she answered very sensibly indeed—I do not know whether there was a door between the areas when I first went—persons have no occasion to go into the area at all to get to the kitchen—there was not a kitchen of the same kind in our house—it was a square kitchen there—Mr. and Mrs. ——— resided there—that kitchen was carpeted—I cannot say whether there was any carpet in the kitchen where the old lady was.

ELIZABETH KERLEY. I am the wife of John Kerley, and live at No. 20, Carlisle-street. I lived in Dolphin-place about twelve months—I went in September, and left last September—I have seen Mrs. Warner—I saw her first at the beginning of the summer—I recollect her coming about the month of June—she then lived in the back-parlour, and continued to live there about a month, or six weeks—I cannot recollect the time—I knew the kitchen she lived in, subsequently—I have been in it myself—I never was in it after the deceased was there—it was not carpeted before—I have seen the deceased in the passage often, going into the kitchen—I remember her going into the kitchen—the door was always locked—sometimes Mr. Marriott had the key, and sometimes the servant, Ann Price—I do not know the name of the other servant—there were two servants—I never heard her name—she always locked the door—I never heard Mr. Marriott tell her to lock it after her—I have heard the deceased complain of being kept in the kitchen, and ask why she was made a prisoner of—she once showed me a dry piece of bread—a person stood by the side of me—I asked her if she had not enough—she said it was too dry, she

could not eat it—it did appear to be very dry—I only saw it through the window—I never could get in—I never had any conversation with Mr. Marriott about it—I have called to him, when she has been crying for assistance—on one occasion he attended to the call, but it was an hour after—I had once some conversation with the old lady—I thought her replies perfectly sensible—there was nothing, that I observed, peculiar in her conduct—I never saw candles in the room—I could not get into my room without passing her window—if there had been a candle in the room I must have seen it—I never saw a candle in the room—I lived in the same house with her—we all cooked for ourselves.

Cross-examined by Mr. Payne. *Q.* What part of September did you leave? *A.* I think it was about the 16th—we did not want candles very early—I am married—my husband is a stage-coachman—I went by my own name in the house—I never went by the name of Heath—that is my mistress's name—she never lived there—my husband is now driving the Wickham coach—I left Mr. Marriott, because my husband's business led us to the West-end—I gave notice a fortnight previous to Mr. Marriott giving me notice—my husband was then going to drive an omnibus, and it was more convenient to leave—I cannot recollect when the deceased showed me a piece of bread—it was not while Ann Price, nor while the other servant was living there—I never said the old lady was being starved to death—I certainly do not say that now—I could hold a conversation with her through the window—it is a large window, that throws a great deal of light into the room—the fire-place was opposite the door—I do not know whether it was a comfortable room, as I never went into it.

Mr. Ballantine. *Q.* I understand you never could get into it to see? *A.* No, not after the old lady went into it—I talked to her once, at the window—she was calling out for Mrs. Kelly—my name being Kerley, I went down to speak to her, thinking she had made a mistake—I went to live there in September, 1836—this rent-book, which I have, was made out in Mr. Marriott's handwriting, I think at first—I received it from him—it is headed "Mrs. Kerley"—I have passed by the windows when it was so dark that candles were required, and there were none—I did not think she was well treated—I have heard her cry for an hour together for assistance—I never had conversation with her enough to judge whether her conduct was such as to justify her confinement—when I saw her before she got into the kitchen, her conduct was quite quiet and rational, in my opinion.

Elizabeth Robinson. I am the wife of George Robinson. We live at No. 1, Dolphin-court—we were both living there at the time the old lady in question was living there—we went to live there on the 1st of August last—at that time I believe Mrs. Warner was living in the kitchen—on one occasion Mrs. Godwin mentioned something to me—in consequence of that I went to the kitchen window, where Mrs. Warner was—she was calling murder, and shaking the door violently—I desired Mrs. Godwin to fetch a policeman—I said to Mrs. Warner, "Has any one a key that will open the door?"—I endeavoured to pacify her—she said, "They have got me here, and all my good clothes and things; and see here, look at this place, when I have got so much good furniture of my own"—I did not particularly notice how the place was furnished, but it did not appear comfortable—I was looking through the window—I put a candle through a square of glass that was out—(this was in the month of October)—there was no means of closing the square—it appeared taken out of the frame—I said,

"How is it you are here; have you no friends, have you no nieces?"—she said "No"—I said, "Have you any neighbours or friends? tell me, and I will go or write to them, however great the distance"—she said, "No, no, they will not interfere"—I tried to pacify her—I lived there the whole winter—I passed the window when I came home, but it was but seldom—I passed it once a week at least—I never saw a spark of light there—when I came home in the evening, I tapped at my bed-room window for my children to let me in, and I could see the kitchen window—I know now where the fire-place is—if there had been any fire I must have seen it quite plainly—during the whole of the winter there was no fire in the room, not even a glimmering light.

Cross-examined by MR. DOANE. *Q.* It was but seldom you passed the window? *A.* Not above once a week—I live in the parlour, and come across to tap for my children to open the door—that is when I have passed her window, and sometimes I have gone on purpose.

Q. Are you prepared to swear, that during the severe weather there was not a screen before the window? *A.* I saw nothing but dark—there was a green curtain—I do not know whether that would prevent my seeing or not—I think the cry of murder must have been in the middle of October—Godwin fetched me—Smith was there on the same occasion—the deceased wanted to get out—I did not hear her say that she had got out of bed, and could not get in again—I was so excited I cannot tell what she said—she was out of bed—she might complain that she had got out of bed, and could not get in again—I will not swear that she did or not—I rather believe she did—I saw her—I did not notice whether she was in her night dress—she might have it on, and I not notice it—I only looked through a window—after a time we succeeded in soothing her, and she got into bed—when we asked about her friends, she named one person, but said they would not interfere.

MR. BALLANTINE. *Q.* Had you other opportunities, besides when you passed the window, to observe whether or not there was a fire in the room; when you stood at your own window to tap to get in, could you see into the room? *A.* Yes, sometimes—that might be two or three times in a week, and sometimes not for a fortnight or three weeks together—I had not occasion to do so often about Christmas, that I know of—when I held the light to the window there was no screen in the room—the court is not a thoroughfare—there are three houses in it—they all belong to Mr. Marriott.

MR. PAYNE. *Q.* Which house do you live in? *A.* No. 1—it is quite full of lodgers.

ELIZABETH TURNER. I know the houses belonging to Mr. Marriott, in Dolphin-place—I was one of the lodgers there—I took the apartments at No. 2, in March 20, 1837, and left on the 17th of May, the same year—I remember Mrs. Warner coming there—there was a van of goods came about an hour before—I do not know whether those goods were Mrs. Warner's—I never heard Mr. Marriott say any thing about them—they were taken to No. 1—she was taken to No. 2—I left in May.

Cross-examined by MR. PAYNE. *Q.* Was there a screen in the room? *A.* In Mrs. Warner's room there was.

MR. BALLANTINE. *Q.* What room? *A.* The back parlour in which she was first placed—I was there when she was taken into the kitchen—she was taken first to the back parlour, and then down to the kitchen—she was an invalid, and was assisted down by Mrs. Marriott—the kitchen

was not so comfortable as the room she was taken from—I do not know what became of the screen after she left the parlour.

ABRAHAM CARTER. I live at No. 31, Paradise-terrace, Holloway. On the 8th or 9th of March, 1837, I called on Mrs. Warner, in Cannon-street, at the former Mrs. Reed's house, who was a sister to Mrs. Warner—I had known them a number of years—I always understood that it was rented by Mrs. Reed—I know from passing the lease into the hands of a gentleman named Wood, that the value of it was full 200*l.*—Mrs. Reed was not dead then—she died about the 6th or 7th of March—that was after I was sent down there—when I called on Mrs. Warner, on the 8th or 9th of March, Mrs. Reed was dead—I saw Mrs. Warner on that occasion, and had some conversation with her—she appeared in very good health, and very good faculties—her spirits were good—I never saw her in the house in Dolphin-place.

Cross-examined by MR. PAYNE. *Q.* When you saw her, did she say her sister had made her will and left her executrix? *A.* Yes—I asked her to let me see it—she said Mr. Marriott had got it and the lease also—she did not say he had got them with her consent—she did not tell me he had taken the lease away with her consent—she mentioned nothing of that—I saw her again the next morning—she told me the same night that she would get it for me if I wanted to see it—I went the following morning—she then said Mr. Marriott would save me the trouble of interfering in the business—she gave me Mr. Marriott's compliments, and he would take all the trouble from me—Mrs. Warner was slovenly in appearance then, and she stooped—she was one of three sisters—Mrs. Mason, Mrs. Reed, and Mrs. Warner all lived in the house in Cannon-street together—my connexion was with Mrs. Mason—after Mrs. Reed died, Mrs. Warner was left alone in the place—Mrs. Mason had been dead some time—several persons were present when I had that conversation with her—Mr. Marriott was not there.

MR. BALLANTINE. *Q.* Do you know whether Mr. Marriott was related to her at all? *A.* I believe not, I cannot say positively.

ELIZA LUCK. I am a charwoman. I know the house in Dolphin-place—I knew it from April, last year, down to February in this year—I attended to the lodgers, and worked for two ladies in the house, No. 2, in which Mrs. Warner lived—she lived in the kitchen, and in the parlour, at first—I was never in the parlour while she was there—I remember her living in the kitchen—I once or twice heard her making a noise, and she told me to let her out, and said it was very cold—I asked her if she had any fire, and she said she had no fire, she had only had fire twice while she was there—she told me this about December or January—when I was talking to her the weather was cold—it was that induced me to ask her—I was outside the room—I could not get in then—I did get in once—the door was locked—she told me there was no fire—I was not able to see that myself—I looked through the window once in the cold weather, and there was no fire—I saw a screen; that was standing so as to prevent a view of the fire-place—it was something like a shutter—it was before the fire-place—I could not see the grate—I did not see into the room when she said she had no fire—when I spoke to her it was through the key-hole—it was a kind of wooden screen—it was close to the grate, to the best of my knowledge—it was not as a cloak to the chimney, but a cloak to the grate—it was close against the grate, so that I could not see it—I cannot tell whether it was

touching the grate—it was large enough to screen the grate—I looked particularly to see if there was any fire, and I could not see any—if there had been a fender before the fire-place, the screen would prevent my seeing that—it was a kind of board, or fire-screen, put against the fire-place—I do not know whether it stood by itself—I could not see any fire, if there had been one, I suppose I should have seen it—the screen was placed up against the fire-place—when I went into the kitchen it was very damp.

Q. How did you get in? *A.* Mr. Marriott once took the lady some bread and butter, and tea, or something, in a mug—I wanted to go in, to see whether she had any fire—I had spoken to her—it had been reported she was not quite right in her head—I said to Mr. Marriott, "Oh dear, poor creature, she is childish," and she said she was not, nor out of her senses—that was when I went into the kitchen.

Q. How had you got in? *A.* I was down at the sink, doing some work, and I saw the prisoner open the door and go in, and I went in after him—I am quite sure he unlocked the door, and I followed him in—I saw the fire-place then, and looked at it very particularly—that was when I saw the screen—if there had been a fire in the room I must have observed it—one side of the wall near the dresser was very damp—it was cold weather, in December or January—it was December, to the best of my knowledge—when I got into the room I observed the walls were damp—I did not touch them—I could see damp on the walls near the dresser—the other part did not seem so damp—there was not much furniture in the room—there was no carpet that I could see—it was not such a place as any of the lodgers lived in—it was not so comfortable—I had several opportunities of seeing her while I worked there—I have seen her many times through the window sitting on a chair, looking very disconsolate—nobody was with her, or attending to her, that I saw—she cried very much, and wanted me to let her out—to the best of my knowledge that was not above twice, but she often called to me, saying, "Is that Mr. or Mrs. Marriot?" and saying that she wanted her tea.

Cross-examined by MR. PAYNE. *Q.* Were you examined before the Coroner? *A.* No, nor before the Magistrate—I have known the house in Dolphin-place nearly three years—a Mrs. Benson lived in the kitchen before Mrs. Warner—I cannot say how long, but not long—Mrs. Jolly lived there, but she did not sleep there—she used to cook there—a Mr Banyon did not occupy it, that I know of—it is a boarded kitchen, with a large window—I cannot exactly say whether the screen was a chimney-board, that fitted in close, but the grate was disguised—I did not go up to it—it stood between me and the grate—I did not notice where the bed was—I did not take much notice of the place—I wanted to look at the old lady—I have seen the prisoner take her her tea, about four times, to the best of my knowledge and belief—I heard Mrs. Marriott in there with her once—I worked for Mrs. Wells and Mrs. Lefroy—Mrs. Lefroy lives there now, on the second floor—Mrs. Wells is not there now—to the best of my knowledge it was in December when I went into the room.

RODERICK NEIL. I live at No. 16, Brook-street, Holborn, and am a twopenny postman. On the 21st of February last I took a letter directed to Mrs. Warner, to No. 1, Dolphin-court, or place—a female opened the door to me—from what passed with the female I did not leave the letter—I did not think her old enough to give me a decisive answer, and I called the following morning after eight o'clock—the prisoner then opened the door half

way to me, but I can recognise his face—I asked if Mrs. Warner lived there, and he said, "The letter has been round twice, I thought you had a decisive answer, not to take it round the third time"—I had intrusted another man to deliver it previously—when I asked if Mrs. Warner lived there, he said, "No"—I returned the letter through the Post-Office in the ordinary way, under cover, to the writer—I asked the prisoner if he could give me the address, and I would have the letter forwarded to her—he said he did not know her—he denied knowing any thing of her—I asked if she had ever lived there—he said no, he never knew her.

Cross-examined by Mr. Payne. *Q.* What time was this when you asked him if she had ever lived there? *A.* After eight o'clock, the following morning, the 22nd—I have heard since that she had been dead two days at that time—I am quite certain about what he said—I did not write it down—his answer was, that he thought I had received sufficient answer not to take it round a third time—my partner had written on it, "Not known as directed, Dolphin-court, High-Holborn."

Mr. Ballantine. *Q.* Did he say one single word about Mrs. Warner lying dead in the house? *A.* He did not.

James Wood. I reside at No. 6, Sebbons-buildings, Islington. I knew the deceased, Mrs. Warner—I have a letter which I wrote to her—(*producing it*)—it was returned to me—this is the third letter which has been so returned—it was addressed, to "Mrs. Warner, Mr. Marriott's, Dolphin-court, near Great Turnstile, Holborn."

Cross-examined by Mr. Doane. *Q.* Are you an undertaker? *A.* I am—I wrote three letters to that address—all have been returned—I believe I did not write more than three—this is my writing—(*looking at a letter*)—I did not say not more than three, I said I believed not—I had a demand of money on Mrs. Warner.

Mr. Ballantine. *Q.* Do you know anything about the letter produced? *A.* It is my writing—I do not know the date of it.

Sarah Cruikshank. I am the wife of Robert Cruikshank, and live at No. 34, Cannon-street, City. Some day previous to the 10th of October I went with my husband to No. 1, Dolphin-court—I there saw the prisoner and his wife—Mr. Marriott asked me to write an agreement about the house, No. 34, Cannon-street, of which Mr. Cruikshank was to take the upper part—I heard the prisoner mention the name of Mary Warner to his wife—he spoke in an indistinct tone—I could hear nothing more than the name of Mary Warner—Mrs. Marriott dissented to what he said, whatever it was, and he again repeated it to her, and she again dissented—I asked the prisoner what interest Mrs. Warner had in the house, and he said, "None whatever"—he asked me if I remembered a conversation he had with me respecting the decease of Mrs. Reed—I told him, "Perfectly well"—he said did I not remember he had told me, at Mrs. Reed's decease, that Mrs. Warner was her sister—I inquired in what way Mrs. Warner could be a party to the agreement—his reply was, "None whatever"—he said something about her not being capable of undergoing the fatigue, that at her advanced age she was quite incapable—that he had been accustomed to let lodgings—there was an agreement ultimately signed—I produce it—it is not stamped—after it had been signed I inquired whether Mrs. Warner was a relative, as he seemed to take such an interest in her affairs—he said, "None at all"—he said, respecting the house in Cannon-street, Mrs. Warner having been accustomed to let lodgings, he had taken the

lease of the house of the Pewterers' Company on condition of paying arrear of rent; that they had given him four years to pay it by three ments, 20*l.* of which he had paid; in consideration of which he had und keep Mrs. Warner comfortable as long as she lived—I wished t chase some of the furniture, and he said I might make my own selecti did not say to whom it belonged—I understood it was his own prop he did not speak of it as anybody's property but his own—he app Mr. Kelly to value the furniture in the house in Cannon-street Cruikshank, and a Mr. Phillips was appointed to value it for u amount of the valuation was 37*l.* within a few shillings—that has n paid—we were to pay it to Mr. Marriott.

Cross-examined by MR. PAYNE. *Q.* When the name of Mary was mentioned, and Mrs. Marriott shook her head, did the prison "Yes, yes, better?" *A.* He did—the name of Mary Warner w in the agreement, because Mr. Marriott asked me to do so—I will s said he had taken the house of the Pewterers' Company, and was to p arrears of rent, and had paid one instalment of 20*l.*—at the time he s was no relation of his, he said she was a townswoman of his—I hav the prisoner say that Mrs. Mason had been living in the house sin Warner left it, and that she had unfortunately got into the Bench prison—I cannot say at what time I heard it—I had every to suppose from what passed that the furniture was his—I lived a phin-place for a few days once—I told Mr. Marriott it was diffe what I expected, and it did not suit me—I complained that the persons in and out at night, and it disturbed me—I do not recollec complained of any particular person—I really cannot say where the lived who came in and out, there were so many persons in the house— there a few days previous to the 10th of October.

MR. BALLANTINE. *Q.* While you were living there did you s Warner at all? *A.* I saw her, but was not at all aware who she w her death—I saw her in passing by a window which looks into an did not notice in what state she was, but I recollect she had on gown.

JOHN GREEN TOWERS. I am clerk to the Pewterers' Company. aware of what leases are made by them—no house or premises be to the Company would be taken without my knowledge—there wa any premises in Cannon-street let to the prisoner—he never at a took a lease in any shape from the Pewterers' Company—he has p instalments of 11*l.* 15*s.* each for arrears of rent due from Mrs. Re paid it as her executor—he so stated.

Cross-examined by MR. DOANE. *Q.* Was there not a petition se the part of Mary Warner, the sister of Mrs. Reed, to let her off the in consideration of her long tenancy? *A.* There was a memorial se the name of the prisoner—he stated his object to be to serve Mary —the prayer of the petition was not acceded to—he made himself able for the amount.

COURT. *Q.* Did he give a written agreement? *A.* He signed a randum, which I have here.

MR. PAYNE. *Q.* What time was the petition presented? *A.* of April, last year—I think Mrs. Reed died in February, or the be of March—I have no recollection of a Mr. Mason of the Custo making an application on behalf of Mrs. Warner.

MR. BALLANTINE. *Q.* Did you see Mrs. Warner at all when thi

was the subject of conversation? *A.* I saw her once after the death of Mrs. Reed, but not on this petition—I believe it was before it was presented.

JAMES FORD. I am a clerk in the Prerogative Office. I produce the original will of Ann Reed—the personal property is sworn under 100*l.*—I am not able to tell the value of the premises—our act of Court states there was no executor or residuary legatee—Mrs. Warner is named in the will as sister and next of kin.

(*The will was here read; it was dated the 26th of March*, 1836, *bequeathing to Mary Warner all the effects, and the lease of the house in Cannon-street.*—Witness, S. MARRIOTT.)

MR. DOANE. *Q.* These are letters of administration granted to Mrs. Warner by your Court? *A.* Yes—when a person takes out letters of administration, it is necessary to give two securities—the securities here are C. Cresswell and Simon Marriott—they enter into a bond for the proper administration of the effects—I cannot tell who paid the expenses of taking out these letters—it does not appear to have been taken out by commission, and therefore Mrs. Warner must have personally appeared—the letters were granted the 20th of July, 1837.

CHARLES REEFE. I live at No. 31, Aucit-street, Lambeth. Mrs. Warner's sister was my grandfather's second wife—I remember the death of Mrs. Reeves—I went to her funeral, and saw the prisoner there—after the funeral, he called me on one side, and asked me if I should have any objection to pay for my cloak, and my sister's and brother's also, as he did not wish to put Mary Warner to any expense, he should pay for his—he told me he was left executor—he showed me about a quarter of a sheet of writing paper as a will, and told me he had found it by mere chance lying down on the ground—I observed Mrs. Warner was much grieved, and took a chair, and sat down by the side of her, and told her she should come and live at home with me, and I would make her happy and comfortable for the remainder of her life—her reply was, that it was a kind offer certainly—the prisoner said, "No, no, sir, she shall go home and live along with me, as you are no relation whatever"—I asked him what relation he was—he said he was a townsman, and that he had buried Mrs. Reeves's sister, and it was Mrs. Reeves's wish that he should bury her too, in fact that he was executor—he said "Mrs. Warner is going home to live along with me, until affairs are settled, and I will make her happy and comfortable."

Cross-examined by MR. PAYNE. *Q.* Did you ever go to make inquiry after Mrs. Warner? *A.* I asked Mr. Marriott to give me his address—he did so, and I gave it to my sister, who promised to go and see her, but she by chance lost it—I called at the house in Cannon-street, and inquired for the address, but was not able to get it—I did not find her—I first came forward to give evidence at Bow-street—not before the Coroner—it was after I saw in the newspapers that some money was found in a box, and saw Mr. Marriott's name mentioned.

MR. BALLANTINE. *Q.* Have you an interest in any money found in a box? *A.* None.

JOHN LLEWELLEN. I occupy the ware-house, parlour, kitchen, and cellar of the house, No. 34, Cannon-street, and pay rent for it to the prisoner, 35*l.* a year—I paid him one quarter's rent last Christmas.

Cross-examined by MR. PAYNE. *Q.* You did not pay taxes? *A.* No, the rent is exclusive of taxes.

SAMPSON SWENDELL. I live at No. 7, Drury-lane, and am an und taker. On the 20th of February, I was employed by Mr. Target, undertaker, to take a coffin to No. 2, Dolphin-court—I there saw the p soner and his wife—they went with me into the front kitchen—I th found the corpse of a female lying on a board—I took it from the bo and placed it into the coffin—when we took it off the board, it laid with knees bent out—that is caused by a body not being laid out properly- had the appearance to me as though it had died through want—it wa a kitchen below stairs—there was not much furniture in it—there no carpet, and no bed—there was a tent bedstead, but no fire-in no coals, nor any appearance of fire, which made me consider th was very little comfort for a poor old soul to lay there—I had difficult placing the body in the coffin, from the position it was in—I could get the knees down—I was going to put a nail into the coffin to keep knees down, but I did not, and covered it with a cloth—the prisoner there part of the time.

Cross-examined. *Q.* Did you afterwards go with Mr. Target on the of the funeral? *A.* I did—I formed an opinion of the person having d from starvation, from the external appearances.

ANN PRICE (*examined by* MR. PAYNE.) I went to live servant with M Warner in Cannon-street, after the death of her sister, Mrs. Reeves— Marriott engaged me—I remained in Cannon-street a month or six week I went from there to Dolphin-court at the same time as Mrs. Wa —I lived there rather more than two months—I was examined be the Coroner—I gave evidence before Mr. Minshull, at Bow-street—I bound over at Bow-street to appear here and give evidence—when M Warner first went to Dolphin-court, she lodged in the back-parlour of 2, and remained there three weeks or a month—at that time the kitc floor was occupied—after that she was removed into the kitchen belo she did not object to it—there was a bedstead there, and two feather b on it—during the time I was there, I took her meals down to her—it bread and butter and tea for breakfast, and meat and potatoes for dinner, bread and butter and a drop of beer for supper—it was pretty good bee I had the same—it was good meat that she had—I had my dinner w her—I took her out to walk once or twice a week while I was there—I t her out to church on Sundays—Mr. Marriott went into the kitchen Sunday evenings to read to her—his conduct to her was generally kind— was lame, and she used a stick—she used to be assisted by my arm when walked out—I did not think she was quite right in her head at times—w I was not with her, I used to lock the door—Mrs. Marriott used to go her at times—she was not fit to go out by herself—she used to say so times that she could eat more food than she had—that was only now then—she had all her usual meals during the time I was there.

COURT. *Q.* How long were you there? *A.* About two months.

MR. BALLANTINE. *Q.* How long had she been in the room in the before you left? *A.* About five weeks I should think—I was there not more than three months in all—about two months in Dolphin-place—t old lady was in the back parlour about three weeks or a month.

HENRIETTA FILLINGHAM (*examined by* MR. PAYNE.) I succeeded A Price in waiting on Mrs. Warner—I used to take her to church and take her food—I had my meals with her—I remained there five weeks—s had plenty of wholesome food during the time I was there—we sometim

disagreed—I took her out for a walk—I left Mr. Marriott because I and Mrs. Warner could never agree—she said she did not want a servant, and could do better without one than with me.

Mr. Ballantine. *Q.* When did you leave the service? *A.* On the 30th of July.

William Hughes. I am a surgeon, residing at No. 90, High-Holborn. On the evening of the 26th of February last, I went to the kitchen of the house, No. 2, Dolphin-place, and found the dead body of a female lying in a coffin—I looked at the body, and then returned to the Coroner's jury—I subsequently made a *post-mortem* examination—on the view I had of it first, it presented an appearance of great emaciation, as if she had died from some lingering disease, or from starvation—on the same day I made a *post-mortem* examination—the immediate cause of death was water on the brain—I cannot tell what that was produced by—it might have been the consequence of disease, but I found no disease except water in the centre of the brain—that is sometimes the effect of inflammation in younger subjects, and sometimes the effect of great exhaustion—it may be caused by some disease, or by extreme exhaustion—we call inflammation disease—any thing that may produce inflammation of the brain may produce effusion of water on the brain—I found no disease in the brain sufficient to produce this water—there was only a very slight appearance of inflammation of the membranes, or what I should call lymph, thrown up on the membranes of the brain, which is sometimes, I believe, present without inflammation.

Q. If it does not arise from inflammation, to what other cause can you attribute the appearances? *A.* To great exhaustion—or excitement may produce it also—it is my opinion that there was no disease apparent that could cause this—there was very great emaciation of the body, and the stomach and bowels were empty, and were collapsed—the heart also was empty, that is, there was a very small quantity of blood in it, not the quantity we usually find in *post-mortem* examinations.

Q. What in your opinion did that emaciation arise from? *A.* It is impossible to answer that question decidedly—it might arise from a want of a proper quantity of food—I am not aware of any thing else—we see that emaciation, when death happens, from diseased lungs; but here the lungs were healthy—water in the brain may be called a disease, but it is more the effect of disease.

Court. *Q.* Was it that inflammation being there, the result of the inflammation was water? *A.* Yes, when the water comes, the inflammation ceases—there are at times, besides water, other appearances to show there has been inflammation, such as large quantities of lymph.

Mr. Ballantine. *Q.* If there had been such inflammation as to cause the secretion of water, would there be appearances of that left? *A.* I should think so, and such inflammation must occasion pain; but what pain depends on what we call acute or chronic—I think that is such a disease as would require the attendance of medical men—death could not be caused by such a disease without there being the appearance of indisposition—it is my opinion that the secretion of water was caused by exhaustion—she had all the appearances of being an old woman—I think that remaining for days and nights in a room without fire of any kind would be productive of injury to a woman of her age—I saw the kitchen in which her body was—I did not much notice the place, but, without a fire, I should say it was not fit for anybody to remain in with such weather as we have had last winter—the exposure in such a

room might destroy life; first by producing excitement, and then exhaustion—confinement, in any room, of a person against their will, might produce it, more especially a woman in her reduced state, and at her age.

Cross-examined by MR. PAYNE. *Q.* I suppose by emaciation you mean there was scarcely any flesh to the body, but the skin adhering to it? *A.* Yes; as complete a state of emaciation as ever I saw, as if in the last stage of consumption—that is not often the case with old persons, unless they have some organic disease—if there was an effusion of water on the brain, produced by exhaustion, there might not be some appearance of effusion of water in other parts—I will not swear there would not be—excitement is usually followed by great exhaustion—I am quite certain death was caused by water on the brain—I am not quite certain that water on the brain must have been produced by exhaustion—by exhaustion, I mean that state of collapse which you see after great excitement—I may explain further, by saying, when a person has lost a large quantity of blood, that will produce exhaustion and death, a diminished supply of blood, not sufficient to support life—emptiness of the intestines might probably be produced by other causes than withholding food—I found no cause on examination sufficient to account for the emptness of the stomach—vomiting for some time before death may account for it, or other causes—there are cases of disease, for instance, stricture in the throat; but that would be visible—I never met in my practice a case in which water in the brain was produced by want of food—I never read in the course of my medical education any case to that effect.

MR. BALLANTINE. *Q.* In your experience, you never met with a person starved to death? *A.* Never—the appearances on all parts of the body betokened the want of proper food and nourishment.

MR. PAYNE. *Q.* Can you tell us whether the state of the body did or did not betoken an incapacity to derive nourishment from food? *A.* No, it did not—I found no disease—that is the only thing that would incapacitate the person who had food offered to them.

MR. BALLANTINE. *Q.* From the appearance of the stomach could the person have taken any food within a reasonable time? *A.* Not within some hours previous to death—I should say twelve hours—I saw the body in the kitchen—there were no marks of vomiting pointed out to me—she had been dead a week when I examined her.

JOHN GREEN TOWERS *re-examined.* The lease of the house in Cannon-street has about eight years to run—the rent is 50*l.* a year—I do not know what the taxes are—there have been some repairs done to the house.

(Richard Roe, carpenter and builder, and Ann Roe, his wife, 2, Dolphin-place; William Masson, clerk in the Custom House; Matthew Clarke, 2, Dolphin-place; Thomas Walklet, cordwainer, South-street, Finsbury Market; Richard Walters, Stacy-street, Compton-street, Soho; Thomas Walton, tailor, East-street, Finsbury Market; William Price, compositor, 3, Dolphin-place; James Duffil, broker, 44, Wild-street, Lincoln's Inn-fields; Mary Newman, 24, Rutland-street; Elizabeth Paulden, Artichoke-court, Cannon-street; and John Felgate, broker and builder, York-street, Commercial-road; gave the prisoner a good character for humanity and kindness of disposition.)

GUILTY of Manslaughter only. Aged 48.—Transported for Fifteen Years.

OLD COURT.—*Wednesday, April* 10*th*, 1838.

Fourth Jury, before Mr. Sergeant Arabin.

1090. JOHN HUMPHREY and ELLEN HUMPHREY were indicted for feloniously receiving, on the 26th of March, 28lbs. weight of lead, value 6*s*., the goods of Francis Milner and another; against the Statute, &c.

MR. PHILLIPS *conducted the Prosecution.*

JOSEPH SIMS. I am in the employ of Milner and Son, lead merchants, of 49, Crispin-street, Spitalfields. On Monday, the 26th of March, the female prisoner brought a quantity of lead to my master's premises for sale—she put it down, and said she would leave it, as she had more to bring—I had bought lead of her before, and of the male prisoner, who is her husband—he keeps a marine-store shop—my master had lost about 600lbs. of lead off his flat on Sunday night, or Monday morning—about 14lbs. of the lead the female prisoner brought, appeared like what we had lost—there are spots of paint on it by which I can identify it—I fitted it to the flat, and found it corresponded—I gave information to the police, and Sergeant Teakle produced some other lead to me, which I also identified.

GEORGE FRANCIS JONES. I am in the prosecutor's employ. A quantity of lead was stolen from our lead flat, on the morning of the 26th of March, at half-past seven o'clock—I identify 14lbs. of the lead brought by the female prisoner, as part of ours.

DENNIS POWER. I am a police-sergeant. I got information, and went to the prosecutor's warehouse, and found the lead had been stolen—I compared the lead which they gave me with the flat, and found it corresponded—in consequence of information I went with Teakle, to No. 4, Nelson-street, Bethnal-green, which is a marine-store shop, kept by the male prisoner—the prisoners were both there—I asked the female whether she had been out that morning—she said, yes, she had—I asked if she had been to Crispin-street—she said she had—I asked if she had been to Mr. Milner—she said yes, that her husband sent her there, and she was going to take some more—the male prisoner said he had a book in which he was in the habit of entering every thing he bought, but in the present instance he did not make any entry of it—that he had purchased it that morning of some person, who he did not know—he handed me the book, and there was no entry of it—I searched the house, and found some lead, which Teakle has.

GEORGE TEAKLE. I am a police-sergeant. On Monday morning, the 26th of March, I went to search the prisoner's house, and found the lead—I went there directly after examining the premises with Power, and found a sack on the counter with lead in it—I asked the male prisoner what he had there, and where he got it from—he said he bought it out that morning—I asked him who he bought it of—he said he did not know—I asked if he kept a book to make entries—he said yes, but he had not entered that—I compared the lead found in the sack with Mr. Milner's flat, and the marks where it was cut off corresponded—I found it in the prisoner's possession, about an hour and a half after the robbery was committed.

NOT GUILTY.

1091. THOMAS WALKER JONES was indicted for stealing, on the 26th of March, 1 coat, value 3*l*., the goods of Edward Shoebridge.

ELIZA CLIESBY. I am servant to Edward Shoebridge, a tailor, in

Compton-street, Soho. On the 26th of March, about eight o'clock in the evening, I was at the parlour door, the prisoner came into the shop, and put his hand on the coat—I turned round, and asked him what he wanted—he said, "Have you any apartments to let"—I said, "Yes"—he said, "Never 'mind, I will call again"—about half an hour after another man came in with an umbrella, and asked if I wanted to buy it—he put it down, and ran away, and immediately after a coat was missing from near the parlour door.

FREDERICK NOYES. I live with my mother in Mr. Shoebridge's house. I saw a man come in with an umbrella—I was in the parlour—the man opened the umbrella out, and while he was doing so, I saw the prisoner take the coat off the horse, and run out—I pursued him, calling, "Stop thief"—he threw it away as he turned the corner—I saw him stopped—I am sure he is the same person.

Cross-examined by MR. DOANE. *Q.* Were you standing in the same shop as Cliesby? *A.* Yes, we were both standing together—the man held the umbrella open right before her—I never said I was not sure the prisoner was the man.

RICHARD PEARCE. I live in Compton-street. I was coming home, and heard the cry of "Stop thief"—I saw the prisoner running, and followed him—I saw him throw something from him—I followed him some distance, and he was stopped—I was close behind, and took hold of him, and brought him back to the shop—he said, "What are you going to do with me? I am not the person, I have not been in Compton-street"—I had seen him running in Compton-street.

EDWARD SHOEBRIDGE. My coat has been lost altogether.

GUILTY. Aged 18.—Confined Six Months.

Before Mr. Justice Coltman.

1092. THOMAS IVISON was indicted for feloniously forging a certain order for the payment of £100, with intent to defraud Sir Richard Carr Glynn and others.—2nd COUNT, for uttering the same with a like intent.—Other COUNTS, varying the manner of stating the charge.

MESSRS. BODKIN *and* DOANE *conducted the Prosecution.*

JOHN GARWOOD. I am clerk to Mr. John Widdows, an attorney in Copthall-court, Throgmorton-street. I know the prisoner by his coming to see Mr. Widdows—on Monday, the 26th of February, he came, and gave me this cheque, and said, "You are to go and receive this cheque," and that he was to wait while I went with it—I went to Glynn and Co.'s—when I got there I was detained by Forrester, the officer, who went back with me to Copthall-court, but the prisoner had left—he was afterwards taken at his father's.

Cross-examined by MR. PHILLIPS. *Q.* You had known him a good while, I suppose? *A.* Yes—I do not know where he lived.

WILLIAM THOMAS. I am cashier to Glynn, Halifax, and Co., bankers. We have an account with Adam Joseph Kopsch and Co.—on the 26th of February Garwood came with a cheque—I believe this to be the cheque—I had no doubt it was a forgery immediately I saw it—it was shown to the partners, and Forrester was sent for.

Cross-examined. *Q.* Are you sure that is the same cheque? *A.* I cannot be sure, but I have no doubt of it—I believe it to be the cheque—I will not undertake to swear positively to it.

Mr. Doane. *Q.* Did you mark the cheque he brought? *A.* Yes—this has my mark—Mr. Masters brought it to me as he was going out with Forrester, and I marked it—I had left it in the room with Mr. Halifax, one of the partners, and Mr. Daniel, the chief clerk—Mr. Barber was there—he went into the room with me—I did not see him with the cheque—I left it with Mr. Daniel and Mr. Halifax—I did not mark it till Mr. Masters was going away.

Frederick Barber. I am a clerk in the banking-house. I was in the same office as Mr. Thomas—he brought the cheque from his desk to me, and I took it to Kopsch and Co. by his directions—I returned the cheque to him again when I came back, and he took it into the partners' room.

William Thomas *re-examined.* When I first received the cheque I gave it to Barber to take to Kopsch and Co.—he brought it back, and gave it to me, and I took it into the partners' room immediately—Garwood went in with me and Mr. Kopsch, who had come back with Barber; and I think Barber went in also—I left the cheque there, and Mr. Masters afterwards brought it to me to mark—I will not swear positively this is the same cheque, but to the best of my belief it is—I have no doubt about it—I swear to the mark which I made on it—the drawer's name is the same as was on the cheque presented, the sum is the same, and it has every appearance of it.

Thomas Halifax, Esq. I am a partner in the firm of Glynn and Co. I remember this cheque being brought into the partners' room—I cannot say in whose hands it was when I first saw it—Mr. Thomas was one of the persons who came in, I believe, and one of the partners of Kopsch's house—Mr. Daniel, our manager, was in the room at the time—Garwood was brought in to me—I will not say whether Garwood was in the room, or whether I only saw him through the glass door outside, but he was never lost sight of—my present idea is, that he was in the partners' room—the cheque was shown to me—I directed Mr. Daniel to send for Messrs. Bush and Masters, and Mr. Masters came—to the best of my belief, I did not leave the room from the time of the cheque's being brought into the room till the arrival of Mr. Masters—I do not know that I saw the cheque given to anybody after Mr. Masters' arrival—Mr. Mills was in the room, and, I think, Mr. Glynn.

Cross-examined. *Q.* Can you say into how many different hands the cheque went? *A.* No; I will not swear positively—I might not have left the room before Mr. Masters came—I cannot say more than to the best of my knowledge and belief—Garwood was in the room—there might have been other persons there.

Court. *Q.* Can you say whether that is the same cheque or not? *A.* I cannot swear to the cheque, but I believe it is, from the peculiarity of the writing, the figures, and the word "company"—I looked at it when it was brought to me, and inquired of Mr. Kopsch's partner about the writing—the amount of this cheque corresponds with that which was produced to me—I do not think I remarked the date—I noticed the signature, but only in a general way—it was the same name as this—I noticed the two 00 had not the regular distance between them, and the 1—it was in an irregular mode.

Mr. Doane. *Q.* Was any other cheque, drawn by Kopsch and Co., brought into your room that day? *A.* Certainly not—no other came under

my observation—I do not remember seeing or hearing of any other—I have no doubt this is the same cheque, but I cannot swear to it.

CHARLES MILLS, ESQ. I am one of the firm of Glynn and Co. I came into the room at the time in question—something was mentioned to me, and I asked to see the cheque, which was given to me—it was lying on the private desk of Mr. Daniel, the managing clerk, in the inner-room, and I either took it off the desk, or it was given to me—Mr. Halifax was in the room—Mr. Masters, the solicitor, afterwards came there, and I gave the cheque to him—my attention was drawn to the signature and amount—I had been told before I came in that it was ascertained to be a forgery—this cheque has the same signature, is to the same amount, and to the best of my belief it is the same cheque—I did not see any other cheque in the room drawn by the same party—there was no other cheque that day about which there was any difficulty, to my knowledge.

Cross-examined. *Q.* You were not at home, I suppose, all the day? *A.* I was not in the room when it was brought in.

JOHN DENNIS DANIEL. I am managing clerk in the banking-house of Messrs. Glynn, Halifax, and Co. I sit in a room called the partners' room—it is separated by a glass screen—I can see into the office—I remember a cheque being brought in by Mr. Thomas, the cashier, signed Kopsch and Co.—I do not remember Mr. Mills coming in—I was backwards and forwards in the office from time to time—doubts had arisen about the cheque, and it was settled that we should send to Mr. Kopsch about it—nobody came in with Mr. Thomas—Mr. Thomas Halifax was in the room when he came in—I dare say I was in and out two or three times—I saw the cheque again when I came in—I left Mr. Halifax in the room when I went out, and found him there when I came in, till Mr. Masters arrived—there was no other cheque, drawn by Kopsch and Co., brought in, that I know of—when Mr. Thomas brought the cheque in, he showed it to me, and then took it out again—he afterwards brought the same cheque in again, with Mr. Kopsch, who pronounced it to be a forgery—it was then laid on my desk—I did not remain in the room all the time till Mr. Masters came, but was sometimes there, and sometimes in the outer office.

MR. EDWARD LEE MASTERS. I am in partnership with Mr. Bush. We are the solicitors for this prosecution—I have produced the cheque which I got from Messrs. Glynn's on the 26th of February—I received it from Mr. Mills's hands—I showed it directly after to Mr. Thomas, who put his initials on it before it was taken out of the banking-house—*(cheque read.)*

ADAM JOSEPH KOPSCH. I am a silk-merchant, in partnership with Mr. Thomas Naylor. We kept an account with Glynn and Co. in February last—I know the prisoner, his father is a respectable silk-broker—the prisoner used to come to our house on business—we keep our cheque-book on the desk in the daytime—neither the signature, nor any part of this cheque, is my writing—it seems to be dated the 23rd of February—I had seen the prisoner at our premises not above a day or two before I was called on about the cheque—I do not recollect the date—I went with the person who came from the banking-house—I cannot say how long it was before that, that I had seen the prisoner at my counting-house—it was decidedly within a week—I recollect a person bringing the cheque to my counting-house—I will not swear it was Mr. Barber—he

showed me the cheque, and it was a forgery—this looks very much like the cheque—it is drawn in the same name, and for the same amount.

Cross-examined. *Q.* What are your Christian names? *A.* Adam Joseph—my cheques are generally signed in that way.

MR. BODKIN. *Q.* Do you authorise anybody to sign cheques for you?—*A.* Nobody except my partner.

THOMAS NAYLOR. I am partner with Mr. Kopsch. This cheque is not in my handwriting—I authorised nobody to sign it, or fill it up—I have seen the prisoner at our counting-house—he used to bring samples from his father—I have never seen him write in the counting-house—I had seen him there within a week.

Cross-examined. *Q.* Do you know a young man named Marquis? *A.* Yes, he was in our employment a short time—he has been sought after lately, but the search has been given up—he *can* be found—he has been seen—I understand several parties have seen him—a gentleman named Marker has seen him—I do not know that he has absconded—Mr. Kopsch has authorised persons to search for him.

MR. KOPSCH *re-examined.* I have authorised somebody to search for Marquis, as there were suspicions against him—I have not been able to find him—it was not an officer I told to search for him—I authorised Mr. Fellowes to advertise for him.

Q. Was it not in consequence of his being suspected of having given the prisoner the false cheque? *A.* No—it was long before the cheque was produced that he was advertised for—we were suspicious of his having committed a theft—I have not advertised for him since this, nor sent anybody to search for him—he could go into our counting-house when he was in our service, which was not above two or three months—during that time the cheque book laid on the desk as usual—he is about twenty-two or twenty-three years of age, and is married.

Q. Have you ever expressed any opinion as to the handwriting of A. J. Kopsch and Co., signed to the cheque? *A.* No, not to my recollection—I will not swear I have not—I believe I have said that it looked like Marquis's handwriting.

MR. BODKIN. *Q.* When did you say that? *A.* As far as I can recollect, at the time it was presented to me—Marquis left our service about December—he had no means of access to our counting-house after that—if he had come after he left I should have had him apprehended—the signature to the cheque is a little like mine, but not much—it is written in the same style as if to imitate it—the "one hundred" does not look at all like my writing, nor the February, nor the ciphers.

Q. When you said you thought it was Marquis's writing, did you say so from an inspection of the writing, or from the knowledge that Marquis had committed another offence? *A.* Both from the writing and his having committed another offence—it is impossible to tell whose handwriting it is, because a few letters are like, and others quite different.

JOSHUA PAUL WANNESS. I am clerk to the Newspaper Association Office. I am a friend of Messrs. Kopsch—I was at their office on Saturday, the 24th of February last, from seven o'clock till after nine o'clock in the evening—I saw the prisoner there—he was backwards and forwards—he occasionally came in, took up a pen, and wrote at the desk at the opposite side to where I was sitting—I was perhaps three or four feet from him, the width of the desk—it was a double desk—he could write any thing without a person on the opposite side seeing what he wrote.

Cross-examined. Q. Could you see what kind of paper he was writing on? *A.* No, I could not—he was standing at the desk—I did not pay the least attention to it—I was not before the Magistrate.

JOHN FORRESTER. I am one of the principal officers at the Mansion-house—I took the prisoner into custody on Monday, the 26th of February, the same day I had been sent for to Glynn's banking-house—I found him at Mr. Kopsch's, in Crown-court, Broad-street—I told him I took him for presenting a cheque at Glynn's—he said nothing—I searched him, and found on him a letter containing two pieces of paper—he never spoke at all.

Cross-examined. Q. Was not the letter a valentine? *A.* Yes, I should call it so—he was crying when I went into the room—the letter was open when I saw it—it was addressed to him.

(*The letter being read, was a valentine, upon which was written, "Answered 17th of February, to Miss Widdows, Church-street, Stoke Newington." The papers were memorandums of several sums of money, one of which had "A. J. Kopsch and Co." written several times upon it.*)

MR. KOPSCH *re-examined.*—(*Looking at the paper*)—I have never seen this before, to my recollection—the name "A. J. Kopsch and Co." is written in very much the same style of writing as mine.

Cross-examined. Q. Is it very much the same style of writing as you see signed to the cheque? *A.* It looks like it.

GUILTY of uttering. Aged 15.—*Recommended to mercy by the Jury and Prosecutor on account of his youth.*—Transported for Seven Years.

Before Mr. Justice Coltman.

1093. THOMAS FREEMAN was indicted for b——g——y.

NOT GUILTY.

Second Jury, before Mr. Recorder.

1094. MARY ANN NICHOLS, SARAH WHITE, and ELIZABETH HAYES, were indicted for feloniously breaking and entering the dwelling-house of Sophia Nichols, on the 23rd of March, at the hamlet of Ratcliff, and stealing therein, 1 ring, value 6*s.*; 1 sovereign, 7 half-sovereigns, 12 crowns, 24 half-crowns, 200 shillings, and 100 sixpences; her goods and monies.

SOPHIA NICHOLS. I am a widow, and live in James-place, Stepney-causeway, in the parish of Ratcliff; the prisoner Nichols is my daughter. On Friday, the 23rd of March, I went out, at twenty minutes past eleven o'clock—I left my house all fastened up, the shutters and every thing secure—I had a box in my house, containing 23*l.*, in sovereigns, half-sovereigns, crowns, half-crowns, and shillings, also a ring, and the duplicate of a ring—I left all safe when I went out—I left nobody in the house—I returned at twelve o'clock, and found the house fastened as I had left it—it must have been opened by a false key—I went to my box, and found it broken open, and the money gone—the lock was strained, and the key would not open it—I went to the prisoner Hayes, who lived next door, and asked her if she had seen anybody at my door—she said "No one"—my daughter always slept at home till the 23rd of March, and after that she did not—she absconded—I did not ask Hayes if she had seen my daughter.

JAMES LAW. I am a cooper, and live in Lower Chapman-street, St. George's-in-the-East. On the 28th of February the prisoner Nichols came to my house, and asked for a lodging—I let her one—she lived there in the

daytime, and went away at night—she remained with me three weeks—she paid a deposit for the first week's rent, and then it went on for three weeks—she said that she slept at her mother-in-law's, and represented herself as a married woman, that her name was Lane, and that she was eighteen years of age—I believed her—she said she wished, by the time her husband came home, to get a few things for herself—on the 22nd of March I asked her for her rent—she said she was not able to pay, but she would pay in the course of the week, as her monthly money would be coming—on the 23rd of March she came to my house, about ten o'clock in the morning, and about half-past twelve o'clock, Hayes came—Hayes said Nichols was her mother-in-law—she did not give a name—Hayes wished me to take care of 8*l.* 18*s.*, and to pay Nicholls 10*s.* a week, as she was not able to take care of it herself—she gave me the money—it was counted out on the table—Nichols had brought the money down from her room, and produced it—Hayes made the proposition, but the money was put into my hands by Nichols—Hayes wished it to be so, or I should not have taken it—Nichols remained at my lodging till Monday, the 26th—Hayes came there on the Saturday, and drew 7*s.* of Nichols—she got it from me out of the money I had—up to the 23rd of March Nichols had not slept at my house, but she did on the 23rd, and left on Monday, the 26th—the prisoner White came that day, and demanded the money which I had in my possession—she said her name was Smith, and that she was Mrs. Lane's aunt, and said that Mrs. Lane was going to her aunt's at Greenwich, I gave her 4*l.* 9*s.* 9*d.*—Nichols left my lodging that night—I saw White again on the Thursday following, the 30th of March, and she said Mrs. Lane had robbed her mother, who lived at No. 10, James-place, Stepney-causeway—as I had had this money in my hands, I went with a friend next morning to find out her mother.

White. What he says is quite wrong—I never received any money, nor asked for it. *Witness.* It is true—she came for the money, and I paid it to her—Nichols had some furniture in her room—I had another room to let, and she desired to have that—and she desired to have a horse and cart, to bring the things to my place—she left on the Monday night, and came again on the Tuesday—I assisted to move her things.

White. It was after he knew of the robbery. *Witness.* No—it was two days before.

James Clark Lawrence. I am an apprentice to Mr. Lawrence, a builder, in Pitfield-street, Hoxton. On Tuesday, the 26th or 27th of March, the prisoner White came to our house, and asked to look at a room we had to let in Hoxton-market—she gave her name as Sarah Smith—I did not see either of the other prisoners.

Robert Davis. I am a constable of Lambeth-street police-office. On the 30th of March I went to a house in Hoxton-square, and found Nichols in a back attic—I said, "Your name is Nichols?"—she said, "Yes"—I said, "You have robbed your mother of 23*l.*"—she hesitated a little, and then said, "Yes"—while I was talking to her, Hayes came up—I said to Nichols, in her presence, "What have you done with the money, and did you give that person any of it?"—(pointing to Hayes)—she said, "Yes, 7*l.*"—Hayes denied it, but in a very short time said to Nichols, "Oh, but you know I got a great many things out of pledge for you, out of that"—I searched Hayes, and found in her pocket this blue purse, containing a sovereign, a crown-piece, and six duplicates, also two half-crowns loose, one shilling, one halfpenny, and two pocket-pieces—Nichols gave me a purse,

containing a half-crown—I took White into custody—when I went to her house, I told her I had come to search her house, in consequence of the robbery next door—she denied any knowledge of the girl whatever.

SOPHIA NICHOLS *re-examined.* Hayes's house is next door to mine—the doors of the two houses do not join—there is one window between the doors—I had no acquaintance with White and Hayes—I know they lived next door, and they have seen my daughter going in and out—they knew very well that she belonged to me.

Nichols's Defence. I did not take the box out—it was Mrs. Hayes went into the house, took it into her own place, and brought it in a basket—she broke open the chest—she told me she threw the gold ring over the wall, and said it was a brass one, and a duplicate she threw into the fire—she opened the door with a false key, and kept me locked in the room while she took the things.

Hayes's Defence. I did not go into the house—when Nichols came out, she knocked at my door, and said, "Will you take care of this box, and carry it down to No. 4½, Lower Chapman-street?"—I took it down to her there—she opened it, and gave me 7*l.*—I took several articles out of pawn for her, and kept part of the money; as to the ring, I never had it, and know nothing at all about it.

NICHOLS—GUILTY. Aged 14.—Judgment respited.

HAYES—GUILTY. Aged 37.—Transported for Ten Years.

WHITE—NOT GUILTY.

1095. JOHN COGHILL was indicted for stealing, on the 29th of March, 3 quarts of wine, value 9*s.*, the goods of the St. Katharine Dock Company, his masters.

JOSEPH TAYLOR. I am principal officer of police of the St. Katharine's Dock Company. The prisoner was a night-watchman in the Company's employ—on the 29th of March he came off duty, at a quarter after six o'clock, and came to our office, in the Dock-house—I searched him, and found a bladder in his hat, containing three quarts of port wine—I found on him a small tin funnel, and a brad-awl—I asked him where he got that wine—he was much agitated, and said he had obtained it from B quay, where he was employed.

Cross-examined by MR. PHILLIPS. *Q.* Are you quite sure he did not say he got it from a sailor on B quay? *A.* I am certain he did not—I have known him ever since he has been in the Company's employ.

JOHN COX. I am superintendent of the Docks. I found a cask of port wine on B quay, with three quarts deficient, and that wine corresponded with what was found in the bladder—the bung of the cask had been raised once.

Prisoner. I found several instruments belonging to workmen before, and gave them up, and so I should have done with the brad-awl.

JOSEPH TAYLOR *re-examined.* He said nothing about having found the bladder, or any thing—when I was about to search him, he took his hat off his head, and laid it down for me to rub him down—I said, "Give me that hat"—he said, "Sir?"—I said again, "Give me that hat"—he said, "Sir?"—I took it from him—the lining was drawn very close, so that I should not have found it, unless I had felt it very tight—I undid the

lining, and took it out—I said, "Where did you get it from?"—he said, "I got it from B quay."

(The prisoner received a good character.)

GUILTY. Aged 35.—*Recommended to mercy.*—Confined Six Weeks.

OLD COURT.—*Thursday, April 11th*, 1838.

Second Jury, before Mr. Sergeant Arabin.

1096. JAMES BUCKINGHAM and PETER HOLDEN were indicted for stealing, on the 16th of March, 49lbs. weight of lead, value 8*s.*, the goods of Seth Smith, their master; and that Buckingham had been before convicted of felony; and JOHN CARR for feloniously receiving the same, well knowing it to have been stolen; against the Statute, &c.

MR. PAYNE *conducted the Prosecution.*

PATRICK FITZGIBBON. I am in the employ of Seth Smith, a builder, who is building near Grosvenor Terrace, Harton-street, and Eaton-square. I am employed under Woodfield, the foreman of the plumbers—on the morning of the 15th of March, I cut some lead for gutters, by Woodfield's directions—I left a piece of lead remaining on the premises, which the foreman said was a waste piece—he told me to roll it up—it was from forty to fifty lbs. weight—the premises are in the Mews, between Chester-square, and Eaton-square, not far from some buildings in Wilton-crescent, on the right hand corner of Belgrave-square—you can go down Belgrave-square from where the lead was, to the building I have named, but there are several ways to go, one as near as another—you can go through Chapel-street, from the buildings in Chester-square, to the buildings in Belgrave-square—it is a bye-way—the straight way would be down the square—I know the house of Carr—it is in Belgrave Mews, at the back of Belgrave-square—I saw the lead, which I left on the premises, in the shop, at half-past eight o'clock on Friday morning, the 16th, when I returned from breakfast—I saw Buckingham and Holden, there were more men there—Carr was not there—Woodfield was—I saw Buckingham take a piece of lead on his shoulder out of the shop, in company with Holden, about a quarter before nine o'clock—they went away together—it was the piece I had left the day before—it is here—(*producing it*)—I have examined it, and am certain it is the same piece—I was afterwards at Carr's house—I was sent for when I came back at one o'clock—I found the officers Edwards and Thatcher there—Holden was in custody—I saw the officers bring the piece of lead down stairs from Carr's house.

Cross-examined by MR. PHILLIPS. *Q.* Is not Mr. Carr's a very respectable shop, and he in a very large way of business? *A.* Not that I know of—I was never in his shop before—I did not measure the shop—I have been in the police, and resigned—I was not discharged—there might be complaints made against me before I resigned—I was nearly three years in the police—there were complaints of neglect of duty, by being late of a morning—I do not know how many complaints were made—there might be a hundred for what I know—I resigned perhaps a week or fortnight after the last complaint—I cannot say how far Carr's house is from where I was at work—I will not swear it is not two hundred yards—I had no notice that I was to be dismissed before I resigned—I was not dismissed.

Cross-examined by MR. DOANE. *Q.* Mr. Smith has an extensive business? *A.* Yes—when I returned at half-past eight o'clock there were about eight persons on the premises, and the foreman among them—Buckingham walked out with the lead, and Holden followed him.

MR. PAYNE. *Q.* After seeing Buckingham and Holden go away with the lead did you give information to Adams? *A.* Yes—he is foreman of the joiners.

CON MINING. I am labourer to Davis, who is a working plumber in Mr. Smith's employ. On Friday morning, the 16th of March, I was in the plumber's shop, and saw Buckingham and Holden come in—at eight o'clock they had breakfast in the shop, and a little before nine o'clock Woodfield came in—Holden asked him for a piece of lead for a gutter—Buckingham was present—he might be the width of the shop away, he must have heard what was said—Woodfield said, "I have sent up the gutters yesterday"—they were wanted at Grosvenor-crescent—Holden said there was one short—Woodfield, pointed to the lower end of the shop, and said, "There is a piece, you may take that"—Buckingham, who is Holden's labourer, took it up, put it on his shoulder, and walked out of the shop—Holden followed him directly—the lead was not weighed or measured at that time—I saw a piece of lead afterwards at the police office—I cannot swear it was the same.

Cross-examined by MR. DOANE. *Q.* Who else was in the shop? *A.* Davis, and there were men in and out.

WILLIAM ADAMS. I am foreman of the joiners, at Mr. Smith's. This plan (*looking at it*) accurately represents the plumber's shop, and the buildings, erecting in Belgrave-square—a person going from the shop to the square would have no business in the Mews, if he went in a direct line—on Friday morning, the 16th of March, I received information from Fitzgibbon, a little before nine o'clock, and followed Buckingham and Holden—I went through a building in Eaton-square, and saw them both in Belgrave-street—Holden was near Eaton-place, and Buckingham had just turned the corner of Chapel-street, which leads to Belgrave Mews—Carr's house is in the Mews—Holden was some distance behind Buckingham—I ran into Chapel-street, and stood by the corner of Belgrave Mews, where I had a view of Carr's house—I stood there about five minutes, and saw Buckingham come out of Carr's house, with the fingers of his right hand in his waistcoat pocket, as if he had put something into his pocket—he had no lead on his shoulder, nor had Holden any that I could see—Buckingham went into the Coachmaker's Arms, a few doors from Carr's—I then returned, and gave information to the police—I accompanied the officer to Carr's house, between twelve and one o'clock—Carr was at home—I asked if he had purchased a piece of lead that morning—he said he had not, that he had been from home to town, to purchase lead, he had been away in short from six that morning—I saw his wife in the shop, and asked her—she said no, there had been no lead purchased—Thatcher, the officer, asked Carr if he would allow him to look round—he said yes, and I believe he also said that was all the sheet lead he had got in the house, pointing to what was in the shop—a few words passed between him and Thatcher, which I do not recollect—I went down into the cellar and found a great quantity of lead—there was sheet lead there—the officers went up stairs and brought down some more lead.

Cross-examined by MR. PHILLIPS. *Q.* How many tons of lead were there on his premises? *A.* I suppose two tons—Carr said he was not at home in the morning.

JOHN HONE. I am gate-keeper at some buildings which Mr. Smith is erecting in Belgrave-square. Holden and Buckingham were taken into custody on Friday, the 16th of March—I remember Holden returning to the premises that morning after breakfast, at near nine o'clock—they were plumbers, at work at that building—Holden returned about nine o'clock—I opened the gate and let him come in—he had no lead with him—I saw Buckingham come in seven or ten minutes after Holden—he had no lead with him.

JOHN EDWARDS. On the morning of Thursday, the 15th of March, I received information from Fitzgibbon, and on Friday, the 16th, I went to Carr's shop, a little before one o'clock—I had seen Buckingham and Holden go there about twelve o'clock, and heard Buckingham ask if Mr. Carr was at home—I was close behind Buckingham—I took him into custody, but found nothing on him relating to this charge—my brother-officer took Holden into custody—after they were in custody I and Thatcher went to Carr's house, a little before one o'clock—he came home while we were there—I told him we had received information that a piece of sheet or gutter lead had been sold there about nine o'clock in the morning, and requested him to allow us to look, to see if we could find it—he at first refused, saying all the sheet lead he had was in his shop—I did not hear Thatcher say any thing further, but he called him on one side—we afterwards asked him if he had not a place down in the cellar where he kept lead—he said "Yes, there is some old lead down there, but no new lead"—we then asked him to let us see what there was—I, and Thatcher, Carr, and, I believe, Adams, went down into the kitchen, and found a quantity of lead doubled up—we brought that away—after moving it out of the cellar, Mrs. Carr was in the shop, and I requested permission to go up stairs to see if I could find the lead—she at first refused—Carr was not there—I went up stairs, to the top of the house, and in a cock-loft there was a bed at one corner and a cistern in the other, half full of water, and in that cistern I found his piece of lead rolled up, in much the same state as it is now—there was nobody in the room—I brought it down to my brother-officer.

Cross-examined by MR. PHILLIPS. *Q.* On the oath you have taken, did Mr. Carr ever refuse to let you search his shop? *A.* He hesitated, as I said before—he refused at first to let us see—Thatcher was present, and I believe Adams also—Carr did not say in my presence that he had not been home all the morning—I do not recollect it.

GEORGE THATCHER (*police-constable B* 17.) I went with Edwards to Carr, on the 16th of March, having received information—Carr came home at the time I got there the second time—the first time I went, at twelve o'clock, I apprehended Buckingham—the second time I went, Carr was at home—that was a little before one o'clock—I asked him if he had any objection to our searching the house—he objected at first, and hesitated—after some considerable time he allowed me, but previous to his allowing me he requested me to accompany him to a public-house, with a friend of his, to take some ale, which I refused—Edwards and Adams were in the house at the time—they were near enough to hear it—Edwards was invited to go as me—Carr said, "I hope you will not make any great disturbance of this circumstance, as I do not wish this person to know any thing about it," meaning the person that was going to the public-house with him—I did not know who that was—I searched and found a quantity of lead in the kitchen—Edwards found a piece of lead in a cistern, and gave it to me in the state.

Cross-examined by MR. PHILLIPS. *Q.* He invited you and Edwards to go into the public-house, in the presence of Adams? *A.* Yes, it was said in the presence of the three—I know he invited Edwards also—it was a general invitation to the whole three—I have no doubt they must have heard it—I cannot say that Adams was invited—there were three of us—I suppose the invitation was for all—I told the solicitor about this—I will not swear that I said it before the Magistrate—I refused to go to the public-house—I do not know what reply Edwards made—my object was to keep the house in view—Edwards was perhaps two or three yards from me, or two or three feet—we were all close together—I cannot say what reply Adams made—Carr said he had not been at home all the morning.

(*Evidence for the Defence.*)

WILLIAM NELSON. I am a master plumber, and live in Harrow-street, Paddington. I remember Friday morning, the 16th of March, the day Carr was taken into custody—about twenty minutes after seven o'clock that morning I went to Mr. Carr's, for the purpose of seeing him—he was not at home—I remained there till about twenty minutes to ten o'clock—I had an appointment at ten o'clock—during all that time he did not come home—I called again two or three days afterwards, and learned that he had been taken into custody—he is a plumber and glazier, in a large way of business.

Cross-examined by MR. PAYNE. *Q.* What time did you leave his house? *A.* About half-past nine, or twenty minutes to ten o'clock—I remained there from about half-past seven o'clock waiting there, talking to one of his men, and when the men went to breakfast, Mrs. Carr said she expected him in immediately—I saw no man come in a little before nine o'clock with a roll of lead—if there had been I must have seen it—I am confident about the day, it was a Friday morning—I believe it was three weeks last Friday—I had to give in a contract for a job, and I wanted to consult him—I had to give in my contract on the 22nd, and this was on the Friday previous—I never saw Buckingham before—I am quite sure he did not come in with any lead—I carry on business in Harrow-road—I have known Carr about six years—he has carried on that business ever since I have known him—it is not an uncommon thing to have rolls of lead in a cistern half full of water—it might be placed there to repair the cistern, and the water come in after it was put in, before the job was done, and that would stop the job—some one came into the shop while I was there, but not with lead—I did not take particular notice who it was—the person came to the door and asked if Mr. Carr was at home—he was told no—I was talking to two workmen in the shop.

EDWARD EXTON. I am a plumber. I have been in Mr. Carr's employ, six and a half or seven years—I was at home on the morning Mr. Carr was taken into custody—I went to work about six o'clock, and went back about eight—during that time Mr. Carr was not in his house—I returned from breakfast about half-past eight o'clock—my master was not at home then—Mr. Nelson came in at half-past seven o'clock, and remained there till I returned from breakfast—he left, I should say, at half-past nine o'clock—a person called about a quarter before nine o'clock, and asked if Mr. Carr was at home—I said he was not—I think I have seen that lead before—I cannot swear to the lead which was taken out of my master's cistern—I put some there—the cistern required mending, it was very bad for some time—I had put it in the day before, the 16th of March—there was no water in the cistern at the time—after I cleared the cistern out I was

called away, and did not think of turning the water off, and it came in on Thursday night or Friday morning—my master came home on Friday —I did not see him at all.

MR. PAYNE. *Q.* When did you begin to mend the holes in the cistern? *A.* They have not been mended at all—there was water ran through the cistern—there were holes in the cistern, and it also ran out of the pipe—I put the lead there for a new bottom—it was rolled up—I took it up, thinking it might do with other pieces which had laid on one side for a day or two—I cannot say how long the cistern had been made—a man came and asked if Mr. Carr was at home—I did not take much notice of him—he had nothing with him—Buckingham was there at nine o'clock in the morning—my master keeps his scales in the lower shop—that is the cellar—our shop is very small —we have no convenience for them in the shop—we do not keep sheet lead down in the cellar—these are cuttings.

MR. PHILLIPS. *Q.* Does your master do a great deal of business? *A.* Yes, a great deal.

MOSES BARNET. I am a carpenter. On Friday, March 16th, I was with Carr in Pall Mall, between eleven and twelve o'clock—it might be twenty minutes after eleven o'clock—he left me at that time at a house where we were at work together.

Cross-examined by MR. PAYNE. *Q.* What house is it? *A.* Mr. Vernon's, No. 50—Mr. Carr is the master plumber and painter there, and I am the carpenter.

WILLIAM ADAMS *re-examined.* I did not see Holden and Buckingham together—I do not know where they parted—they were within two minutes' walk of Carr's when I last saw them—I am sure Buckingham came out of Carr's house without lead—I saw him at the corner of Chapel-street with a piece of lead on his shoulder, and when he came out of the house he had no lead.

(James Sheppard, Duke-street, Bloomsbury; William Weston, No. 3, Margaret-street, plumber, painter, and glazier; and James Hatton, Castle-court, plumber, painter, and glazier; gave the prisoner Holden a good character.)

JOHN EDWARDS. I produce the certificate of the prisoner Buckingham's former conviction of felony, which I got from Mr. Clark's office—(*read*)—I was a witness against him—he is the person.

BUCKINGHAM—GUILTY. Aged 24.—Transported for Fourteen Years.
HOLDEN—GUILTY. Aged 37.—Transported for Seven Years.
CARR—NOT GUILTY.

Before Mr. Common Sergeant.

1097. JAMES BUCKINGHAM and PETER HOLDEN were *again* indicted for stealing, on the 6th of March, 34lbs. weight of leaden pipe, value 5*s.*; 40lbs. weight of lead, value 6*s.* 8*d.*; and 3lbs. weight of solder, value 1*s.* 6*d.*; the goods of Seth Smith, their master; and JOHN CARR for feloniously receiving the same, well knowing it to have been stolen, against the Statute, &c.

PATRICK FITZGIBBON. I am a labourer in the employ of Seth Smith. I produce some pieces of leaden pipe, molten lead, and solder, found in Carr's house—on the 20th of March I looked into a bag of Holden's and found a hammer, which I produce—I have compared that hammer with the marks on this leaden pipe—they exactly correspond—I know

Holden was in the habit of using such a hammer—I have a ladle, which is one that Woodfield, the foreman, had used at Mr. Smith's premises—the solder fits the ladle—this ladle was used on Mr. Smith's premises, and this molten lead fits it—there are dents in it which correspond—here is another ladle used on our premises, and this lead corresponds with it—I was present when this lead and things were found at Carr's house, down below—we have brought the ladle from Mr. Smith's to match with it—I have compared several pieces of pipe with the hammer—here are two pieces of lead which match with the piece I produced on the last trial—these two pieces were found up stairs—I am confident that lead was on my master's premises on the morning of the 16th.

Cross-examined by MR. PHILLIPS. *Q.* How long is it since you have been acquainted with lead? *A.* About four years—I left the police in 1833—I had no notice to quit—it may be about a week before I left that charges were made against me for neglect of duty—I will swear there were not half a hundred charges made against me.

A JUROR. This solder does not correspond with the ladle.

JOHN EDWARDS. I am a policeman. On Thursday, the 15th, I received information from Fitzgibbon, and on the 16th I watched Buckingham from the building at the corner of Wilton-crescent, Belgrave-square, belonging to Mr. Smith—I saw Buckingham and Holden come out together—I followed them along Belgrave-mews—Holden went into a public-house, and Buckingham went into Carr's shop—that was about twelve o'clock—I heard Buckingham ask Mrs. Carr if Mr. Carr was at home—she said he was not—he was going away, and we took him into custody—after taking him to the station-house we took Holden, a little before one o'clock, and afterwards went to Carr's house—when we went in Mr. Carr came into the shop—we asked him about a piece of sheet lead which was produced on the last trial—we asked him if he had any other place where he kept lead—he said all the sheet lead he had was in the shop—he gave us no answer about any other lead—I went down into the cellar, and found a great quantity of sheet lead doubled up, and also cuttings of leaden pipe and solder—I found all that I have brought here—there were scales in the cellar—I afterwards went up stairs, and found the sheet lead in the cistern—I heard part of the conversation between Thatcher and Carr—I cannot say I heard it all.

Cross-examined by MR. PHILLIPS. *Q.* Were you in the shop with Adams and Thatcher? *A.* Yes—sometimes I was close by them, sometimes farther away—it is not a large shop—I was not more than six or eight feet from him at the greatest extent—I was near Carr—I attended to what he said—I cannot tell whether I heard what he said—I have been talking to the witnesses since the last trial—I have not been talking about the conversation Carr was said to have held—I have not talked to them about what Carr said—I have spoken to almost all the witnesses—I talked to Thatcher and Adams.

MR. PAYNE *to* PATRICK FITZGIBBON. *Q.* How long before this Friday was there leaden pipe in use on Mr. Smith's premises? *A.* About five days—it was leaden pipe of that description.

GEORGE THATCHER (*police-constable B* 17.) About twelve o'clock on Friday, the 16th of March, I took Buckingham into custody at Mr. Carr's door—I heard him ask Mrs. Carr, as he leant over the half-door, for Mr. Carr—she said he was not at home—he was going away, and we took him—I searched him, and found 34lbs. of lead in his pockets, 5s. 11d., a

knife, and some nails, which corresponded with different portions of the nail holes in the lead found in Mr. Carr's cellar—after that I went to Carr's house with Edwards and Adams—I told Carr that in consequence of information I had received, I believed a piece of lead was sold there about nine o'clock that morning—he asked what lead it was—I said, "A piece of sheet or gutter lead," and asked him if he would allow me to search—he hesitated, and at the time a respectable-looking man came into the shop—he commenced a conversation with Carr, and at length they went out together to a public-house, and asked me if I would go and take a portion of ale with them—I declined—Carr then requested I would make no noise about it, as he did not want that person to know that we had come to search his house—he hesitated about my searching the house for this identical piece of lead—I called him aside, and said it was a curious piece of business, and if he did not allow me to search I should take him into custody—I called him on one side to say that—Adams and Edwards could not hear that—he went back into the shop again, and said, "What is it you want?"—I said, "It is a piece of sheet or gutter lead"—I went into the cellar, and found 20cwt. 2qrs. and 13lbs. of lead, consisting of pipe and other pieces, similar to what I found on Buckingham—it was strippings I found on Buckingham, and I found some strippings in the cellar—I have compared the lead with the ladles—here is a dent in this ladle, and you will find it in the lead—I have compared the hammer with the lead—it corresponds.

Cross-examined by Mr. Phillips. *Q.* You have not spoken to any of the witnesses in the last case, since the last trial? *A.* I have not—I have spoken to Edwards, but not with respect to the case in question—I asked him if ever he heard such an attack made on my character, of being accused of perjury by Mr. Phillips—that was in the Court—I did not speak to him out of the Court on the business of this case—nor the last case—I have not had any opportunity of being with him out of Court.

William Adams. I was present at Carr's house when the property was found—I cannot say that I heard the whole conversation that passed between Thatcher and Carr, because I was looking round at the time, and my attention was directed to this lead—I have seen the marks on it compared with the hammer—it appears to correspond.

Cross-examined by Mr. Phillips. *Q.* Did you find Carr in his house, or did he come in? *A.* He was there when I and Thatcher entered the house—I went to look for stolen property—Carr remained in the shop, while I and Thatcher went down into the cellar, with one or two more who were there—I was not in Thatcher's presence all the time he was in the house—I was sometimes in the shop, and sometimes outside—we did not suffer Carr to go out of the shop when I went to search for the property—when I went to the shop I stopped a short time, then went out, and conversed with a person I was acquainted with—I left Carr in the house—he could have gone out into the street, without my seeing him, and I am apt to believe he was in the street as well, because I went to the public-house door, and saw Thatcher standing outside the shop door, and I believe Carr was with him—they did not go into a public-house—I could not see where they went to—I was engaged at the time—they might go into the public-house, and I not see them—I was waiting for the witness to come and identify the lead—I have been talking to the witnesses since the last trial, but not on this matter—I have not gained any information from them—

I cannot say that I had any conversation about any thing particular with Thatcher—it was outside the door, in the presence of others.

MR. PAYNE. *Q.* What was that conversation? *A.* About something for dinner—we were hungry—nothing more was said about the last trial, than that Carr was *thrown out*, but I dare say he would be found guilty on the next charge—I call this new lead-pipe, but it is hammered into smaller lumps to be carried away—a plumber must know, decidedly, that it was stolen property.

COURT. *Q.* Must a plumber have known and seen that it was new property? *A.* It looked much brighter at the time it was found, but it was put into a dirty cart, and was in a heavy shower of rain—I should say he must have known it was new pipe—it had a new appearance when we found it.

CON MINING. I am a plumber to Mr. Smith. I cannot say whether there was such pipe as this on his premises before the Friday it was found—I am not aware that there was any such pipe on Mr. Smith's premises—I saw none in little bits.

NOT GUILTY.

1098. MARY GLOVER and DENNIS GLOVER were indicted for stealing, on the 19th of December, 1 pair of stockings, value 1*s.*, the goods of Mary Ellen Marsh: 1 stocking, value 6*d.*, the goods of Elizabeth Marsh: 2 beds, value 8*l.*; 2 bolsters, value 3*l.*; 4 pillows, value 1*l.* 10*s.*; 7 blankets, value 4*l.*; 1 decanter, value 1*l.*; 4 glass goblets, value 10*s.*; 2 wine-glasses, value 2*s.*; 1 finger-glass, value 4*s.*; 1 custard-cup, value 6*d.*; 4 cups, value 4*s.*; 5 saucers, value 5*s.*; 7 plates, value 1*s.* 6*d.*; 1 dish, value 1*s.*; 2 knives, value 3*s.*; 2 forks, value 2*s.*; 1 footman, value 7*s.*; 5 yards of net, value 2*s.*; and 1 pelisse, value 1*s.*; the goods of Mary Marsh, the mistress of the said Mary Glover.

MR. DOANE *conducted the Prosecution.*

MARY MARSH. I am a widow, and carry on business as a house-agent, in Park-street, Grosvenor-square. The prisoner, Mary Glover, came into my service on the 14th of December—on the 19th I went out, and when I came home at night I found her gone, and she had taken her box with her—she had given me no notice at all—I missed part of my property very soon after she left—I did not miss the stockings—she was brought to my house three weeks ago last Sunday night, in custody.

Cross-examined by MR. PAYNE. *Q.* Which of the articles produced do you know to be your own? *A.* They belong to a set of China I have at home—I know the sugar-basin, two goblets, custard-cup, and wine-glasses—I do not remember whether one of my daughters slept with the prisoner—it must have been but for one night, if she did—I am not certain—the other servant slept with her till the Saturday night, and then went away, three days before the prisoner—I have other wine-glasses the same as these—if I wanted cups like these I must have them made, they cannot be matched.

JOHN POOLE. I am shopman to Mr. Bassett, a pawnbroker, in Great Queen-street, Lincoln's Inn-fields. On the 3rd of January, two goblets, a custard-cup, wine-glasses, and a sugar-basin, were pawned with me, to the best of my belief, by the female prisoner, in the name of Ann Glover, of No. 2, King-street.

Cross-examined. Q. Did you ever see her before? *A.* Never, to my

knowledge—I never took a lot of that description in pawn before—I am positive the prisoner is the person who pawned them—I recollect her—she had a shawl on—I never took such an article in before.

HENRY WILLIAMS. I am a policeman. On the 18th of March I went to Wild-court, Drury-lane, and watched a public-house there—I saw the two prisoners come out, in company with another man and woman—they all went up into Oxford-street, and at the end of Marylebone-lane, the male prisoner and the other persons drew back, and the female prisoner went up the lane, in company with another young man—they left her in Little George-street, and she ran down to No. 21, King-street—I went up to her to the area-gate, and said I had a letter for her—she said, "From whom?"—I said, "From a gentleman named Williams"—(I was in my private dress)—I asked her if her name was not Fanny Glavin—she said, "No, Glover"—I asked if she had ever lived with Mrs. Marsh—she said, "Yes"—I then said I was an officer, and she was in my custody for robbing her—she said it was not very likely she should rob her—I took her to Montague-square, and the male prisoner came up, and asked me what I was doing with his sister—I had him given into custody, and took her to Mrs. Marsh—I found the male prisoner at the station-house when I returned—he said he lived at No. 12, Wild-court, and the female said she lived at No. 21, King-street, Portman-square, in service—I and Mrs. Marsh went to No. 21, King-street, and a person there named Reddick, who was the master of the prisoner, to whom she wished me to go, gave me these keys—they opened a box in the house, and in it I found three stockings, which were identified by Mrs. Marsh—I afterwards went to No. 12, Wild-court, and there found two men and a female, and a large trunk, locked—I could not open it, and desired the woman there to give me the keys, which she did—I believe her to be the prisoner's mother—I then opened it, and found a smaller trunk, with two cups and saucers, the plates, and other things—I went to another house opposite, and found these two cups, a saucer, and a piece of net.

Cross-examined. *Q.* You told the female prisoner you had a letter from Mr. Williams, was that true? *A.* I had a letter, certainly, in my hand, with Williams on it; it was all untrue, certainly—I am certain I went to the right address—she said, "No. 21, King-street, Portman-square"—she wished me to go there, and I had seen her go to the area gate myself.

(*Property produced and sworn to.*)

(The prisoner Mary Glover received a good character.)

MARY GLOVER—GUILTY. Aged 26.—Transported for Seven Years.

DENNIS GLOVER.—NOT GUILTY.

1099. CHARLES GREEN was indicted for an indecent assault.

NOT GUILTY.

Third Jury, before Mr. Recorder.

1100. ROBERT WARD was indicted for an indecent assault.

GUILTY. Aged 39.—Confined Twelve Months.

1101. THOMAS SAGE was indicted for an indecent assault.

GUILTY. Aged 73.—Fined Twenty Shillings.

1102. FREDERICK TEMPS was indicted for a misdemeanor of an indelicate nature.

GUILTY.—Confined Two Years.

1103. CHARLES LAUNDER was indicted for a misdemeanor.

NOT GUILTY.

ESSEX CASES.

Before Mr. Recorder.

1104. THOMAS GARRETT was indicted for stealing, on the 14th of March, 1 pint of peas, value 1*d.*, the goods of William Turner and another.

WILLIAM TURNER. I keep a corn shop at Walthamstow. I have one partner—in consequence of something that was told me by a boy named Roberts, I went with a policeman after the prisoner, and found him down the street—I said, "You little rascal, you have been stealing peas out of my shop"—he said, "I have not, Roberts gave them to me"—he had his pockets full—he began to take them out, and throw them about the street—they are as much like my peas that are in the bin as possible—I get them from a farmer—there are plenty of them.

THOMAS ROBERTS. I work with Mr. Turner. On Wednesday, the 15th of March, I saw the prisoner, about eight o'clock in the evening, come into my master's corn-shop, take the peas, and put them into his pocket—I was coming through the shop, and he held me with one hand by the collar—I told him I would tell my master—he said, "If you do, I will *smash* you"—he then put the peas into his pocket—I think he took about a pint—he took a good many handsful.

Prisoner. I did not hold him. *Witness.* Yes, he did—I was trying to push him away.

WILLIAM CRESSY. I am a policeman. Mr. Turner and I were together when we stopped the prisoner—he said at first that he had not got any peas—he put his hand into his pocket, and was throwing some down—I said, "You are throwing them down," and then he said that the boy Roberts had given them to him—he had a knife in his hand, which I have here—I took it from him—he laid down on the ground, and called "Murder," and every thing that was bad—he threw some peas at the windows as he went along, and some he threw down.

THOMAS ROBERTS (*re-examined.*) He did not appear to take them out of bravado to annoy me—he filled both his jacket and trowsers pockets—he said he would *shove* something into my ribs, and Mr. Hardwick's, who is a gentleman that passed by at the time.

NOT GUILTY.

1105. EDWARD BLAKER, THOMAS CURTIS, JOHN MASON, and ROBERT TANTONY, were indicted for feloniously killing and slaying Thomas Boulter.

MR. PAYNE *conducted the Prosecution.*

DANIEL BOULTER. I am a waterman, and live in Ann's-row, Bromley; the deceased Thomas Boulter was my brother. On the 26th of March, in consequence of what I heard, I went down to the Marshes, and saw a boat come down—my brother, Blaker, Curtis, and Thomas Sullins, who is

not in custody, got out—they walked up into the Marsh, pulled off all their clothes except their trowsers, shook hands, then fell back, and Blaker and my brother began to fight—Curtis picked Blaker up for the three first rounds, and put him on another person's knee, who I do not know—Mason then came running across the Marshes, and shook hands with Blaker—Curtis every now and then gave Blaker something out of a bottle—Mason acted as Blaker's second after Curtis ceased to pick him up—Curtis remained till the fight was over, and so did Mason—Sullins and Tantony seconded my brother—they fought about thirty-five minutes, as near as I can guess—I saw Blaker then strike my brother with his right hand under the left ear, and he fell down—it was a violent blow—he fell right down, and never rose any more till he was picked up—he was alive, but not sensible—he did not speak at all—I did not see him move—I saw Blaker get up and put on his clothes—I saw Mason take him a few yards, and tell him to lie down—he felt in his pocket for a knife to cut his eye, to let the blood out, as his face was swollen—my brother was put into a boat—I saw him again about twenty minutes after twelve o'clock, at his lodging—he was lying there—the doctor had just bled him—he was not sensible—he died about ten minutes after two o'clock—it was a fair fight, as well as I could see.

Cross-examined by Mr. Chambers. *Q.* Did you not, in the course of the fight, endeavour to persuade your brother not to fight any more? *A.* Yes, I went and spoke to him, he said he was not hurt, he knew when to leave off—he did not tell me previously that he had brought thirty or forty friends to see the fight, and would not disappoint them.

Cross-examined by Mr. Bodkin. *Q.* I believe, as far as appearances went, Blaker appeared more hurt than your brother? *A.* Yes, until the last—Blaker was the heaviest man.

Cross-examined by Mr. Sturgeon. *Q.* It was after the fight began that Mason ran across the fields? *A.* Yes, after they had fought three rounds, but he continued till it was over, and interfered—he is a fishmonger by trade.

Margaret Wilson. I live in Garden-place. I knew the deceased, and Edward Blaker—I was at the Angel public-house at Poplar about a fortnight before the fight, when they were there, and there was a dispute between them—Blaker came and asked me to dance with him—Boulter said I should not dance with him, and Blaker said I should—Boulter then pulled off his jacket, and wanted him to fight with him—Blaker said he would not fight him then, as he (Blaker) was too far gone in liquor, but he would fight him another time—I saw the fight afterwards when it took place—Mason, Tantony, and Curtis were there.

William Bain. I am a surgeon, and live at Blackwall. I was called, on the 26th of March, to see Thomas Boulter, at his lodging in Leicester-street, Blackwall—I found him in an insensible state, with several bruises on his face and temples—there was a contusion below the left ear—he died in about two hours or rather more—I bled him—he was not at all sensible before he died—I examined him after death—there was a *post mortem* examination of his head and whole body—I attribute his death to several ounces of extravasated blood, which I found on the surface of the brain on the left side—he had the appearance of a man who had been fighting—his right hand was much swollen—I observed marks which would account for the extravasation of blood on the brain—violent blows and falls on the

ground would produce it—there was no disease to which I could attribute it.

Cross-examined by MR. BODKIN. *Q.* The extravasation was caused by the rupture of some vessels? *A.* Yes—I saw some external bruises which certainly went a long way to prove the extravasated blood was educed by them—I did not see any vessel ruptured, but I infer it must have been from ruptured vessel—vessels frequently rupture from excitement—the excitement of a fight might cause it.

Cross-examined by MR. STURGEON. *Q.* You bled him when he was in a very exhausted state? *A.* He was in a state in which bleeding is always recommended—his pulse was full—I did not examine how many beats there were in a minute—a pulse is sometimes full without being quick—the pulse rose after I bled him.

BLAKER—GUILTY. Aged 23.
CURTIS—GUILTY. Aged 27.
MASON—GUILTY. Aged 29.
TANTONY—GUILTY. Aged 21.
} Confined One Month.

Before Mr. Common Sergeant.

1106. LUKE WILLIAMS was indicted for stealing, on the 4th of March, 2 wooden posts, value 2*s.* 6*d.*, and one piece of wood, value 6*s.*, the goods of Bailey Sherwood and another, his masters.

RICHARD WEBB. I am foreman to Messrs. Bailey and Newman Sherwood, builders, at Lambeth; they contract for the Eastern railroad. On the morning of Monday, the 4th of March, Mr. Davies came and said, he had taken one of our men, and showed me some wood, which was ours—we could not miss it exactly, as we have so much.

Prisoner. *Q.* You never heard any bad character of me? *A.* No, I did not—he was in our employ about four months, as a night pumper, and should stay till six in the morning—he had no business with wood.

SAMUEL DAVIES. I met the prisoner at Great Ilford, about half-past five o'clock in the morning, about a quarter of a mile from the place where this was taken from—he had three pieces of wood on his shoulder—I asked him where he brought it from—he said a man had given it him out of a cart, to take to the White Horse, to leave there—I said, I thought it was a very strange thing, and I could not take his statement—I took the wood in my care, and Webb claimed it.

JOHN WEBB. I am a night watchman on the Eastern railway. I missed the prisoner at half-past five or twenty minutes before six o'clock—it was not right for him to go then—he should have stopped till six o'clock.

Prisoner. I came by you, and you asked me what I wanted—I said, "Nothing," and walked by you—I had no wood then. *Witness.* I did not see you with any wood.

Prisoner's Defence. I had not two steps to go before I was off the line entirely—I had no wood when I came from there—I received it as I stated—I had done my work—one of the pieces that is sworn to, there was not a piece on the line like it.

GUILTY. Aged 36.—*Recommended to mercy by the Prosecutor.*
Confined Three Months.

1107. JOHN PLAYER and WILLIAM HEARD were indicted for stealing, on the 6th of March, 1 pump, value 3*l.*, the goods of Francis

Shipston—2nd COUNT, stating it to be the goods of Charles Samuel Chamberlain.

MESSRS. PAYNE AND JERNINGHAM *conducted the Prosecution.*

FRANCIS SHIPSTON. I live at Stratford, in Essex, and am a butcher. On the 5th of March, I had a copper pump in my care—I saw it about six o'clock in the evening—I missed it about a quarter to six o'clock the next morning—in consequence of which I searched my garden, and saw some foot marks—I followed the marks down my garden, and there I saw the sucker and handle left—the copper pump had been taken over the fence, and I plainly saw it had gone over the next garden—a person of the name of Benham lives there—I observed more foot-marks there—I traced them both right and left—one pale was broken off, but that would not do, and they took it to another place, and dragged it over—the top of the fence was marked with the green and the copperas of the pump—it had been lying by for some time—I went from there into a yard—I did not trace any footsteps beyond that—the officer found the pump.

CHARLES COLLYER (*police-constable K* 33.) On the 6th of March, Mr. Shipston sent for me—I traced the steps over two gardens, and then I fetched the horse-police—I and Johnson found the pump in the prisoner Player's cellar, concealed behind an old door against the wall—I took Player into custody, before I found the pump—I told him I wanted him—he said, "For what?"—I said, "The copper pump"—he turned pale, and then said he knew nothing about it; but after I found it, he said he found it in the marshes, and that Heard was with him at the time—I observed a green mark on Player's hat—the marshes are close by his premises—I went to Cheatham and saw Heard there—he went there by the name of William Granger—in coming away he said, I might as well have let him be, he would not have troubled us any more.

WILLIAM ROBERT GARDE. I am inspector of the K division of police. I went down to Cheatham and took Heard—he had enlisted in the 44th regiment of foot, in the name of Granger—I asked for his shoes—he said, "If I had had these shoes on me, and the soldier's boots and two sovereigns, I should have been in France"—I have brought one of Heard's shoes, which corresponded with the marks in Mr. Shipston's garden—I knew Heard before—he lived in Stratford, about the marshes.

DAVID JOHNSON. I am a horse-patrol. I measured the footsteps on the 6th of March—I measured the right foot, and found Player's shoe corresponded with them—I did not trace the footsteps any further that day till the next morning, but I traced the marks of both of them in Benham's garden—there were other marks, but I did not see Heard's shoe compared at all—I saw the first of them in Mr. Shipston and Mr. Benham's gardens—there were traces of a pump having been pitched over—I lost the trace of the steps in a gravel walk, and then I traced them again across Mr. Munday's garden, down by the river side—we could not trace the footsteps from the river side to Player's house—we traced the marks of the pump—I was present when the pump was found.

MARGARET BIRD. I keep the Green-man, at Stratford. I know the prisoners at the bar—they were at my house on the evening of the 5th of March, in company with other men—they staid till eleven o'clock, when the company all went—Heard did live at Stratford—since that time I have not seen him there.

Cross-examined. Q. How many were in the company? *A.* There might be twenty—many of them worked on the railroad.

FRANCIS SHIPSTON *re-examined.* I saw Heard's shoe compared with some marks in my garden, in the presence of Garde—it exactly corresponded with the marks in my garden, and Mr. Benham's—I did not cover over any foot-mark—I saw it covered over—that was the one I saw compared with this shoe—this is the pump that was lost from my premises—it would require two men to carry it.

(The prisoner Player received a good character.)

PLAYER—GUILTY. Aged 26.—Confined Three Months.

HEARD—NOT GUILTY.

1108. JOHN HOADLEY and JOHN NELMS were indicted for stealing, on the 27th of March, 54lbs. of lead, value 4*s.* 6*d.*; the goods of the Guardians of the Poor of the West Ham Union, and fixed to a building.—2nd COUNT, stating them to be the goods of John Pardoe and others.

MR. CLARKSON *conducted the Prosecution.*

SAMUEL WATERER. I am one of the assistants of the master of the Union Workhouse at West Ham. On Tuesday, the 27th of March, there were some repairs going on at the workhouse—the two prisoners were paupers, and were working on the premises at that time—I saw them coming down from their work at twelve o'clock that day—after one o'clock, I heard some lead had been stolen—I afterwards gave them into custody—Hoadley ran away—I ran after him, and took him about a dozen stones' throw—I charged him with stealing the lead—he said it was in an evil hour that he did it—I saw Nelms in the afternoon—I do not know whether any thing was said to him.

JAMES SMART. I am constable of West Ham. In consequence of what I learnt, about four o'clock this day, Mr. Mundy brought the two prisoners to me, and told me they had been to Mr. Williams's, and offered some lead for sale—they both said they had found the lead—I took them to the workhouse—I examined the top of the roof, and found some lead missing—Mr. Williams gave me this piece of lead, which I compared with the vacant space on the roof, and I have no doubt it came from there.

Hoadley. He asked at the workhouse gate if there had been any plumbers at work, and they said no. *Witness.* I did not.

WILLIAM WILLIAMS. I am a dealer in marine stores, and live at Stratford. I was sent for home, on the 27th of March, about half-past three o'clock—when I got home, I found Hoadley in my house, and Nelms at the door—Hoadley brought some lead, and put it on my shop-floor—he wanted me to buy it—I would not—I sent for May and Mr. Mundy—I delivered the same lead to Smart—there were 54lbs.—I weighed it in presence of Mr. Mundy.

Nelms. I was not at your door—I passed by it, and went down to Stratford. *Witness.* Yes, you were.

Hoadley's Defence. We found it when we came down to go to dinner—we went out—the gate-keeper let us out—we had nothing but the ladder and tools in our hand—if we had that, the gate-keeper must have seen it.

HOADLEY—GUILTY. Aged 62.
NELMS—GUILTY. Aged 51. } Confined One Year.

KENT CASES.

Before Mr. Recorder.

. RICHARD BAKER and THOMAS CUTTEN were indicted ing, on the 14th of March, 212lbs. weight of coals, value 3*s*., the ' James Strother.

ıony Strother. I assist my father, James Strother, who is a rchant, at Woolwich—he is under a contract to the Board of Ord- On Wednesday, the 14th of March, we hired a horse and cart of ıtts, to take some coals to the artillery barracks—the prisoner ame with the cart—I saw it loaded, and gave him a ticket—I gave ıs to Warden to look out—the constable has since produced a me—I should imagine it was one of those sent out with the coals ıccasion in question—it was one of my father's sacks, such as were . those occasions—I have also seen some coals—they certainly nilar to what we were delivering, but it is impossible to swear to :he sack contained 224lbs.—they were my father's property that ad—this was the ticket I sent Baker with—(*looking at it.*)

-*examined by* Mr. Payne. *Q.* How long have you known Baker? n eighteen to twenty years—I always thought him honest, till this :ance—he has a large family of very young children—he is in the of Mr. Watts, who sends him to drive the cart.

.les Stewart Warden. I am superintendent of the Woolwich In consequence of information from Strother, I followed a cart his premises, loaded with coal, and in Brewer-street I saw the Baker take a sack full of coals from the cart, and go into a side some premises, where a new house is, about a quarter of a mile from ecutor's—I followed him—he was in the cellar when I got in the ;, the coals were shot out, and he had the sack over his arm— ere coals in the cellar where he was, when I got there, which was minute after he got in—the prisoner Cutten was also in the cellar, ed to have been at work at a carpenter's bench—there was about four ' coals in the cellar—I took Baker into custody—he said he was ›ing his master, he would make it all right—he said the coals were o the artillery barracks, and his master would not be the loser l Cutten I took him into custody for receiving these coals, knowing be stolen—he said he knew nothing about them, his son had or- ıem—before I got to the cellar I heard a question asked, "Shall I ith you now?"—I believe that to have been Cutten's voice—there other persons to have spoken but Baker and Cutten—the cart was a ds from the spot—the answer I heard made was, "I will see you rday night"—I believe that it was Baker said that—I took pos- of the empty sack, and took some coals, that appeared uppermost, ıeap—I had not lost sight of the cart above a second between the tor's premises and the time the sack was taken out—there was not ' any one to put a sack into the cart.

:-*examined by* Mr. Payne. *Q.* Did you not see the sack emptied? Baker appeared to me to be quite sober—I showed the sack to the tor, and he saw the specimen of the coals.

prisoners received good characters.)

AKER—GUILTY. Aged 32.—*Recommended to mercy.*—

Confined One Month.

CUTTEN—NOT GUILTY.

1110. JAMES HUDSON was indicted for stealing, on the 21st of March, 1 necklace, value 5*s.*, the goods of Matthew Crawford, from the person of Mary Ann Crawford, the younger.

MARY ANN CRAWFORD. I am the wife of Matthew Crawford, a confectioner, in Nelson-street, Greenwich. My daughter Mary Ann is two years old—on the 21st of March she had a necklace on, which was worth 5*s.*—it fastened with a gold clasp—she was on or near the step of the door, from four to half-past four o'clock—a little girl gave me information—I went out and saw the prisoner running down the street—I ran after him, overtook him, brought him back, and gave him in charge of the police—he said he had not got the necklace—there was another boy with him, who made his escape—I have never found the necklace.

ANN MITCHELL. I am fourteen years old. My father is a shoemaker—I saw Mrs. Crawford's little girl sitting on the threshold of the door, with a necklace on—I saw the prisoner unlock it, take it off her neck, and walk away with it in his hand—two more boys were with him, and were looking in at the window—I am sure the prisoner is the boy who took it—they ran round the corner into the market before he was taken—the other boys were pretty close to him when he took it.

Prisoner. At the office she said she saw the boy walk with the heads, now she says she saw me run. *Witness.* He walked at first, but when he turned the corner I did not see him.

JAMES MAHER. I am a policeman. I apprehended the prisoner, and found two pawnbroker's duplicates and 1*d.* on him.

GUILTY. Aged 11.—*Recommended to mercy.*—Confined Three Months.

1111. HENRY HUDSON was indicted for stealing, on the 20th of March, 4 yards of carpet, value 2*s.*, the goods of Edward Jennings.

WILLIAM TREBLE. I am in the employ of Edward Jenning, who keeps a carpet shop in the New Market, Greenwich. On the 20th of March this carpet laid right across the shop—I saw it there on Tuesday evening, about half-past eight o'clock—I did not miss it till the policeman brought it—I do not know the prisoner—this is the carpet—(*looking at it.*)

HAMMOND SMITH. I am a policeman. I was on duty at New Cross, at eleven o'clock on Tuesday night, and stopped the prisoner about a mile and a half from the prosecutor's house, with this carpet tied round his neck, body, and thighs—I asked him where he brought it from—he said his aunt had given it to him to keep him warm.

Prisoner. Two boys met me, and gave it to me—they told me to say my aunt gave it to me, and if I did not say so they would beat me.

GUILTY. Aged 13.—Confined Three Months.

Before Mr. Common Sergeant.

1112. JOHN PITT was indicted for stealing, on the 28th of March, 1 pair of shoes, value 6*s.* 6*d.*, the goods of Lewis Davis; to which he pleaded

GUILTY. Aged 20.—Judgment respited.

1113. JAMES COOTS was indicted for stealing, on the 12th of March, 1 watch, value 20*s.* the goods of Elizabeth Sinock Bennett, his mistress; to which he pleaded

GUILTY. Aged 15.—Confined Three Months.

1114. LUKE STOCKWIN was indicted for stealing, on the 23rd of March, 11lbs. weight of mutton, value 5*s.* 6*d.*; and 2½lbs. weight of beef, value 1*s.* 3*d.*; the goods of William Wellbeloved, his master; to which he pleaded

GUILTY. Aged 21.—Confined Three Months.

1115. JOHN BOWEN was indicted for stealing, on the 30th of March, 1 umbrella, value 10*s.*, the goods of Frederick Wilkinson.

ANN JOHNSON. I am servant of Mr. Frederick Wilkinson, of High-street, Deptford. About twelve or one o'clock on the 30th of March the prisoner knocked at my master's door, and asked if the lady of the house was at home—I said, "Yes," but she was then engaged—he gave me a letter and a basket, and asked me to take it up stairs to my mistress—I took it, and she told me to go down and see after the things—when I came down, the umbrella was gone from the hook, and the stick next to it was gently vibrating—the prisoner was at the door, waiting for the basket, and I saw the umbrella under his jacket—he went on—I watched him a few yards—he took the umbrella from under his jacket, and put it before him—I told my mistress—she told me to go after him—I did so, and a gentleman took him, while I went for a policeman.

JOHN NOERS (*police-constable R* 27.) I took the prisoner—he had this umbrella and basket in his possession.

GUILTY. Aged 30.—Confined Three Months.

1116. JAMES DIBBLE was indicted for stealing, on the 15th of March, 1 crown, 5 half-crowns, 2 shillings, and 6*d.*, the monies of Mark Cullingford, his master.

SARAH CULLINGFORD. I am the wife of Mark Cullingford, he keeps a public-house at Greenwich; the prisoner was in our employ. On the 15th of March, he came to me for change for a sovereign for Mr. Peede, and I gave it him—I think there were three half-crowns, but I will not swear to it—there was no crown—I gave him full change and some rum, and he went away, and did not return.

JOHN PEEDE. I am mate in the Royal Hospital at Greenwich—I did not send the prisoner for change.

WILLIAM DYKE (*police-constable R* 100.) I took the prisoner on the 19th—he denied the charge, but afterwards said he had received the money and spent it.

GUILTY. Aged 20.—*Recommended to mercy by the Prosecutor.*—Confined Three Months.

1117. HENRY KING and BARTHOLOMEW SLOWLEY were indicted for stealing, on the 16th of March, ½ a bushel of corn and chaff mixed together, value 1*s.* 9*d.*, the goods of Richard Davis.

WILLIAM DAVIS. I am servant to my father, Richard Davis, a livery-stable-keeper in Plough-yard, Lincoln's Inn Fields. The prisoner, King, was in my father's employ five or six months—in consequence of information, on the 14th of March I mixed some corn in a particular way, so that I might know it again—I cut some brown paper, and mixed up with it—I put it into the boot of the Bexley Heath coach to go to Blackheath, where we send a lot every day for the horses—I did the same with a different shade of paper on the 15th, and put that into the coach—on the 16th I did the

same with a darker paper—I put that in also, and sent it down—it ought to have gone to our stables at Blackheath—I have since seen some corn and chaff produced—here is corn and chaff mixed, and some of the paper that I cut up the first day in it—I know nothing of Slowley—the coaches leave about four o'clock, and arrive about six o'clock.

Cross-examined by MR. DOANE. *Q.* Has not King been more than five or six years in your employ? *A.* For this time five or six months, and he was occasionally in our service for years before.

JOHN HYDE. I am a bricklayer, and live in Burley-street, Greenwich. I am frequently at my door—I have seen a bag going backwards and forwards from Mr. Davis's to Slowley's premises—I have seen that during the month of March—it was a light coloured bag—I have never seen that bag since, that I know of—I have seen the prisoner King carry it—the last time I saw it was on the 7th of March—Slowley is a poulterer.

JAMES WILD (*police-constable R* 141.) On Wednesday, the 14th of March, I went to Burley-street, Greenwich, between seven and eight o'clock in the evening—I saw King go from the stable, which I understand belongs to Mr. Davis, with a sack or a bag on his shoulder—he went across the road, in the direction to Slowley's—I saw him come back again, but I could not perceive whether it was a sack or not then—I went the next night, Thursday, the 15th—I watched the same as usual, and saw King take a pail in the same direction—Slowley was not with him on either occasion—King came back again, and crossed over the second time with a pail, but I could not see what was in it—he came back again and crossed the third time, got a light, came and locked up the stable, and went up the street to Blackheath-hill—I went the next afternoon to a house next door but one to Slowley's gate, in the yard, and at near seven o'clock I saw King come to the back of Slowley's house, with either a sack or bag on his back—he went into the back-door—in eight or ten minutes he came out, and I did not see him again for ten minutes—I then saw him come back again, and go down the yard, apparently to get some water, with a pail in his hand—he went back again, and I did not see more of him till I took him into custody, about half-past nine o'clock—I then went to Slowley's, and knocked at the door—his wife opened the door, and said he was not at home, he was gone to get beer—he came in—I said I came to search his house, for the corn that he had received from the ostler, opposite—he made no reply—I went into the back-room, and in a tub under the table I found this portion of corn, which I now produce, and on the table I found this empty bag—I asked him where he got it—he said he bought it of a man named Shove, of Lewisham.

JOHN BARNETT. I am coachman of the Bexley coach. I received the corn on these several days, and delivered it as I received it to King, the ostler.

(The prisoner King received a good character.)

KING—GUILTY. Aged 30.—*Recommended to mercy by the Prosecutor.*
Confined Six Months.

SLOWLEY—NOT GUILTY.

1118. JOHN BAKER was indicted for feloniously assaulting James Willey, with intent to rob him.

JAMES WILLEY. I am a time-keeper on the Croydon Railway. I went

the men's money on Tuesdays, Thursdays, and Saturdays—the prisoner worked on the railway—I am not conscious of giving him any offence—on the 3rd of April I was at Brockley public-house at dinner—I left about two o'clock, and when I got into the road to go to the office, I was about twenty yards from the public-house, when the prisoner jumped over the short palings and collared me—he said, "I want money, and will have it"—I said I had got none—he said he wanted money, he would have it, he knew I had got money—I collared him then, and in the scuffle we fell—I got up again and tried to get away—he followed me, collared me again, and said, "You d—d old b—r you have got money, and I will have it"—we had another tustle, but I got away from him.

Cross-examined by Mr. Jones. *Q.* This was at two o'clock in the day? *A.* Yes, and twenty yards from the public-house—I left one person in the parlour—I did not cry out for assistance—I got away from him, and went to the officer to consult about taking him—the public-house was much nearer, but the prisoner was between me and the public-house—I believe he was in liquor, but not very drunk—he was taken three hours after, with twenty-six other men, on a charge of stealing four gallons of beer—I was not much frightened—there was a man passing, I did not apply to him for assistance—who he was, or what he was, I do not know.

NOT GUILTY.

1119. JOHN BAKER was *again* indicted for stealing, on the 3rd of April, 4 gallons of beer, value 5*s.* 4*d.*, the goods of John Beardwood.

John Beardwood. I am an excavator, and the prisoner is the same. I had four gallons of beer there for my own men—I did not see it taken—the boy who brought it is not here—the prisoner said that they wanted some beer, and I would not let them have it, and then he and twenty-six more went and took the four gallons.

Charles Atkins. I am the constable. I took the prisoner—he was rather fresh, and very violent, and the next morning he said it was a bad job, he was very sorry for it, but he should not have done it if he had not been drunk.

Cross-examined. *Q.* That was about the other charge, was it not? *A.* No, both together.

NOT GUILTY.

SURREY CASES.

Before Mr. Recorder.

1120. JOSHUA CLARKE was indicted for stealing, on the 27th of March, 1 handkerchief, value 3*s.*, the goods of Henry Morse, from his person.

Henry Morse. I am a printer; I am on a visit to my father. On the 22nd of March about eight o'clock at night, I was in the Borough, near Red Lion-court—I felt a tug at my pocket, and turned round instantly—the prisoner was near me—I saw my handkerchief in his possession—he threw it down—I stooped to pick it up, and he ran off—he was taken in about five minutes—I am sure he is the same person.

Thomas Pritchard. I was in company with the prosecutor—I turned

round, and saw the handkerchief in the prisoner's hand—he threw it down, and ran away—I followed him about 100 yards, and secured him, without losing sight of him.

(*Property produced and sworn to.*)

GUILTY. Aged 16.—Confined Six Months.

1121. CORNELIUS SWEENEY and CHARLES HERON were indicted for stealing, on the 1st of March, 1 bottle, value 2*d.*; and ½ a pint of soy, value 6*d.*; the goods of Thomas Bull; and THOMAS JOHNSON for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.

JOHN ALLISON. I am in the service of Mr. Thomas Bull, of No. 80, Tooley-street. On the 1st of March my attention was called to a rattling among the pickles near the door, and, on going into the shop, I saw the prisoner Heron going from the door, with something concealed in his jacket—I saw him give something to Sweeney, and both ran across the road together—I missed a bottle of soy and a bottle of pickles.

JAMES TIDMARSH (*police-constable N* 51.) I took Heron, and a boy named Collins into custody; and in consequence of information Collins gave me, I went, with Randle, to a marine-store dealer's in College-street, where the prisoner Johnson lives—Mrs. Johnson was in the shop, she ran up stairs, and Randle followed her.

JOHN RANDLE (*police-constable N* 141.) I followed Mrs. Johnson up stairs, and when I did so, the prisoner Johnson ran up stairs also; but previous to that, while I was running up stairs, he hallooed out, "Mother"—he came up stairs after me, with some gin, as I suppose—he said, "It is a bad job," and wanted me to have some gin—I saw Mrs. Johnson coming out of the back room, with something behind her—I asked her what she had there—she hesitated a moment—Johnson was at the foot of the stairs at the time, about eight yards off—I found she had a bottle of soy and a bottle of catsup—I found nothing on the premises except the bottle of soy in relation to this charge—Allison claimed the bottle of soy.

Cross-examined by MR. CLARKSON. *Q.* Did you say a word before the Magistrate about his saying it was a bad job? *A.* I think I did—my deposition was read over to me—I mentioned it at the first examination—it was his wife he spoke to when he called "Mother."

JOHN COLLINS. I know the prisoners Sweeney and Heron—I remember being taken into custody on the 2nd of March, about seven o'clock in the morning. Heron was taken about an hour after—I heard Heron say, the night before, "Perhaps we might sell them to Johnson, if we could get any soy"—I was near Mr. Bull's shop at the time, seven or eight doors off—I saw Sweeney and Heron go by the shop, and then come back—I do not know whether they had any thing with them—if they had, it was under their waistcoats—Heron said, "Perhaps we can sell them at Johnson's;" and Matthew Ryan said, "Do you think he will buy them?"—there were two more boys besides the prisoners—Sweeney's little brother was one—I did not see them go to Johnson's—I left them by the rail-road, and went home.

Heron. I said no such thing—I never knew Johnson till he was in prison.

COURT. *Q.* Were you all out on the look out? *A.* No, I was not on

the look out—I went to sell my fruit, and sold it earlier than usual, and went to have a game of play—there were six of us altogether.

JOHN ALLISON *re-examined.* I know this soy from the peculiarity of the label—and I dropped some sealing wax on it in sealing it.

MR. CLARKSON. *Q.* Does anybody else serve in the shop besides you? *A.* No, master does not serve—I am the only person there except the boy, who never serves—I have never been mistaken in swearing to my master's property—I did not swear to property in the possession of a man named Jackson—I claimed some which I supposed to be ours—the man was not given in charge—I told the policeman to take a warrant for his appearance next morning, and I believe to this day it was our property—my master appeared, and the man was discharged.

COURT. *Q.* Where was Sweeney at the time Heron gave him something? *A.* About two yards from the door, outside—I did not see either of them inside the shop.

NOT GUILTY.

1122. THOMAS JOHNSON was *again* indicted for stealing, on the 2nd of March, 3 knives, value 3*s.*; and 2 forks, value 2*s.*; the goods of Charles Prockter.

JAMES TIDMARSH. I am a policeman. On the 2nd of March, I went with Randle to the prisoner's house, and found three knives and three forks in the front bed-room over the shop—I spoke to Mrs. Johnson about them, but not in his presence.

JOHN RANDLE. I searched Johnson's house on the 2nd of March, and saw the knives found up stairs in the front room, in a sort of knife box—it had other knives in it—the prisoner was in custody then—he had come up stairs before I found them—when I was searching the front of the shop, he said we might search and should find nothing—I saw his wife go up stairs very quickly—I followed after her, and saw her come out of the back room with her hands behind her—the prisoner came up stairs at that time with some gin—he wanted me to have some—I said no, I did not do business in that way, I was there to do my duty—we took him into custody—I went back afterwards, and found the knives and forks—the knives were in a box covered up.

CHARLES PROCKTER.—I keep an hotel in Westminster-bridge-road, which is about two miles from Johnson's—I never saw him at my house—these knives and forks are mine—I have lost eight of them.

Cross-examined by MR. CLARKSON. *Q.* When did you lose them? *A.* I cannot positively say—I should think it must be sixteen months or two years ago.

COURT. *Q.* Do they appear more used than when you lost them? *A.* Much in the same state—there is no alteration made in them.

JOHN KINGSBY. I went to Johnson's house after he was in custody, and found another knife, in a knife-tray, in the house which Mr. Prockter owned—the prisoner keeps an old iron shop—the wife serves in it every day, and the husband also at times.

NOT GUILTY.

1123. THOMAS JOHNSON was *again* indicted for stealing, on the 2nd of March, 6 hanks of twine, value 3*s.*; the goods of Benjamin Edgington.

JAMES TIDMARSH. I am a policeman. I assisted Havill in searching the

prisoner's premises after he was in custody, and saw the twine found in the back-room, first floor—it was in a box which had no lid to it.

GEORGE HAVILL (*Police-constable N* 12.) I found this twine in the back-room, first floor, in two boxes, the white in one, and the dark colour in another—there was a bedstead in the room, but no bed.

JOHN VAN PAINE. I am foreman to Benjamin Edgington, sack manufacturer in Duke-street—I know this twine by the peculiar way it is done up—we mark it all—it is worth three shillings—I cannot tell how long it had been missed—it must have been stolen—we have done twine up in this way for about five years.

Cross-examined by MR. CLARKSON. *Q.* You did not miss any till it was brought to you? *A.* No.

NOT GUILTY.

Before Lord Chief Baron Abinger.

1124. ALFRED FAWCETT and JOSEPH KENT were indicted for burglariously breaking and entering the dwelling-house of Ann Criddle, at St. Mary, Newington, about the hour of two in the night of the 16th of March, with intent to steal, and stealing therein, 1 purse, value 2*d.*; 2*s.*; and 1*d.*; the goods and monies of Harriet Tester; and 1 table cloth, value 2*s.* 6*d.*; the goods of the said Ann Criddle.

HARRIET TESTER. I am single, and live as servant with Mrs. Ann Criddle, who is a widow, in New-street, in the parish of St. Mary, Newington. On the night of the 16th of March, I fastened up the house, quite secure, at a quarter past eleven o'clock—I was called up about a quarter past three in the morning, and when I came down I found the house had been broken open—the window had been broken, and somebody had got in—the table-cloth was removed, and 2*s.* 1*d.* taken out of a purse—the prisoners had been taken when I came down—I was called up by the young ladies in the house.

MICHAEL MADDIGAN. I am a policeman. On the night of the 16th of March, I was on duty in New-street, and heard a noise at the back of Mrs. Criddle's house—I went to see what it was, and saw the prisoner Fawcett in the prosecutrix's kitchen, with another man, who I believe to be the other prisoner, according to his height, dress, and general appearance, but I would not swear to him—I stopped a short time, and saw them open the dresser-drawer, and take out a table-cloth, a purse, and several other things, and place them on the dresser—they took up a pair of gentlemen's boots, and put them down again—I got over the wall, and disturbed them, and Fawcett hit at me with a hair-broom which he had in his hand—they got over several walls, and parted in different directions—I followed Fawcett—he got over a wooden fence, and left his hat behind him—he came to a ditch by the side of the Zoological Gardens—he could not get over that, but he got over a wall, and my brother constable caught sight of him the moment I lost him did—the other man got away, and was taken next morning.

Fawcett. *Q.* Where did you first see me? *A.* In the prosecutrix's kitchen—the door was open—when you came out you got over a brick wall, and then over another wall seven feet high, when I lost sight of you, and a constable took you directly—you got over five brick walls before I lost sight of you.

COURT. *Q.* Did you know Fawcett before? *A.* Yes, and Kent also—

I knew them both, and am satisfied Kent is the man, but I will not swear to him.

Fawcett. *Q.* Do you know what sort of a night it was? *A.* Quite light—when I saw you in the kitchen it was twenty minutes after two o'clock—I was quite close to you when you hit me with the broom—I knew you before, having seen you some hundreds of times before—your father lives at Camberwell, and I worked close to where he lived, and have known you from a child.

Edward Martin. I am a policeman. On the night of the 16th, I was on duty at Diddington-grove, and heard my fellow-constable make an alarm—I ran and saw Fawcett—he jumped over a wall into a ditch—I got him out—he struggled—I secured him, and locked him up—I know nothing of the other prisoner.

Fawcett. *Q.* Where were you when you saw me jump over the wall? *A.* At the corner of the grove—you fought with me in the ditch, till I took out my staff—you said, "Don't strike me, and I will go with you"—the grove is about fifty yards from the wall you jumped over—I saw you drop from the wall and run away—I took you in the ditch—I jumped in up to my middle after you—there is no thoroughfare where the ditch is.

Alexander Charles Bliss. I am a policeman. On the night of the 16th I received information, and went to the back of Diddington-grove in search of the prisoner, who had got away—I found Fawcett's hat dropped on some loose ground, and half a handkerchief hanging on a tree, and marks where a person had got over some palings—I do not know Kent—I have seen Fawcett several times.

Thomas Wright. I am a policeman. On the 17th of March I took Kent into custody, at the Nelson public-house, Camberwell—I told him I wanted him for being with Fawcett, and committing a robbery in Diddington-grove—he said he had not seen Fawcett for three weeks, but I know that they lived together at a public-house—I took his shoes off, and went to the premises with my brother-constable, and matched the shoe marks with two persons going in, and one going out, towards Penton-place—the steps of one of the persons corresponded with those shoes.

Kent. *Q.* Have you ever been in Spencer's house, where you say you have seen us together? *A.* I have been at the corner of the street, and watched you both in, night after night repeatedly—there is a mark of half a tip on your shoe, partly worn away, and also nails—I am sure you said you had not seen Fawcett for three weeks.

Henry Finch. My mother keeps the Rodney Head public-house in Suffolk-street, Borough. I know the prisoners by sight—I saw them at my mother's house on the 16th of March, about nine o'clock in the evening—they left the house about half-past twelve o'clock, and went away together—I do not know where the prosecutrix's house is.

Fawcett. *Q.* When we came down stairs do you know where we went? *A.* Into the tap-room—you both went out at the door together—I did not let you in again—I let nobody in after you went out at half-past twelve o'clock—a man named Savage, a shoemaker, did not go up stairs, to my knowledge—Kent did not go away with Mr. and Mrs. Spencer, and Mr. Watson—several people went out when you did.

Fawcett. It was about half-past one o'clock when I went out—I staid out an hour after Kent went. *Witness.* There were no persons in the house at one o'clock.

Fawcett's Defence. I went to this man's house on Friday evening—it was open lodge night—I went about half-past eight, and staid till half-past one o'clock in the morning—we had thirteen or fourteen glasses of gin and water, and three or four pots of beer—I was intoxicated when I went in—I went down New-street and Diddington-grove, to go to James-street, and instead of taking the first turning as I ought, I took the second turning, which is not a thoroughfare—I was turning back when the policeman jumped out, all at once he jumped on me, knocked me into the ditch, and pulled out his truncheon—I said, "Pray do not hit me, I will go with you wherever you want," and as we came along the street, a man opened his window, and said, "Thieves, there are thieves at the back of my house"—the policeman said, "I have got one of them here"—he said, "No, that is not him, I can hear them now at the back of the house"—I always wore a blue cap, and had one on when the policeman came up to me.

Kent's Defence. I am innocent—I hope you will look into it.

FAWCETT—GUILTY. Aged 21. } Transported for Life.
KENT—GUILTY. Aged 21. }

Before Lord Chief Baron Abinger.

1125. JOHN FITZGERALD, *alias Doran*, and JOHN STEVENS, were indicted for feloniously breaking and entering the dwelling-house of Richard Shrubshall, on the 1st of April, at St. Mary, Newington, and stealing therein, 4 handkerchiefs, value 6*s.*; 1 cap, value 7*s.*; 1 pair of sugar tongs, value 7*s.*; and 2 medals, value 3*s.*; his goods.

RICHARD SHRUBSHALL. I live at No. 22, East-street, Walworth, in the parish of St. Mary, Newington. On the 1st of April I went out between three and four o'clock in the afternoon, after locking up my house—on returning between ten and eleven o'clock I found my house in possession of the police—I found a pane of glass broken, the catch of the window moved aside, and the window open—I found next morning at the station-house the articles stated in the indictment, which belong to me.

JOHN RANGECROFT. I am an officer. On Sunday night last, about half-past eight o'clock, I was going down East-lane—a young man came and pointed out the prosecutor's house, and said there were thieves in it—I saw a light at the window—he said a policeman was gone round to the back door—I pulled the shutter open, put up the sash, and went into the parlour—neither the shutter nor window were fastened—when I got in I went into the passage, and at the bottom of the stairs sat Fitzgerald, and then the other—they had got a candle—I brought them into the parlour, and before the policeman came to my assistance Fitzgerald dropped the four handkerchiefs, the sugar tongs, and cap, from his person—the policeman came and searched him, and found two medals in his pocket—on Stevens he found some skeleton keys—they gave no account of themselves—I produced the property next day at the police office to Mr. Shrubshall, and he identified it.

Fitzgerald. I did not go into the house till the witness did—I went in with him—I saw two policeman go in, and eight more men—I followed, and saw the articles on the ground, and took them up. *Witness.* Nobody went in with me—he was at the bottom of the stairs with a candle in his hand when I collared him—there was not a soul in the place but us, when

he dropped the things—I said when he dropped them, "That is quite as well as if I had taken them from you."

COURT. *Q.* Did you observe if the house had been broken? *A.* No, I did not—I pushed the window up at once—I do not know how they had got in.

Stevens. Directly you came into the house you collared me. *Witness.* I found you in the passage—not a soul was in the house besides us, and the skeleton keys were found on you—the street door was so fast we could not get it open, and I was obliged to take them out at the window.

JAMES MASON. I am a policeman. I was going up East-lane, about half-past eight o'clock on Sunday night, and received information—I went round to the back of the house, and saw it all safe there—I then got in at the front window, and found the prisoners in Rangecroft's custody—there was nobody else in the house—on Stevens, I found a skeleton key, and a latch key, a lucifer box and matches—I searched Fitzgerald, and in his pocket found two medals, both having the prosecutor's name on them. I found six keys, up stairs, on the bed—after leaving the house the prosecutor gave me a chisel which he had found—he saw the property next day—I examined the house—they had broken a pane of glass in the front window, and opened the sash.

Fitzgerald. *Q.* Do you know that we broke the glass? *A.* I found it broken—other people came into the house when I did, but not before—I found you in custody.

Fitzgerald's Defence. I went into the parlour, the window being open, with about ten more men.

Stevens's Defence. I say the same.

FITZGERALD—GUILTY. Aged 30.
STEVENS—GUILTY. Aged 31.
} Transported for Fifteen Years.

Before Lord Chief Baron Abinger.

1126. ALFRED MOODY was indicted for stealing, on the 8th of February, 1 watch, value 7*l.* 10*s.*; 1 watch chain, value 30*s.*; 1 key, value 2*s.*; and 2 seals, value 1*l.*; the goods of Charles Joel Kent, in his dwelling house.

CHARLES JOEL KENT. I keep a public-house in Newgate-market. On the 8th of February, I had occasion to go down into my cellar, to the water-closet, about three or four o'clock in the afternoon, and left my watch there—I did not miss it till about nine o'clock at night—I had some bills printed next day, offering a reward for the watch, and on the 7th of March I received two letters—I went over to a place where I was directed to go, to receive a watch, seals, and key, on leaving 5*l.*—I did not leave any money, but saw the landlord of the house, and informed him of it—I did not see the prisoner—he was in the habit of using my house.

THOMAS WILLIAM REDFORD. I am a policeman. On the 9th of February, from information I received, I went to No. 148, Blackfriars-road, and received a watch and appendages from a Mr. Noel.

WILLIAM BOND. I am a policeman. I apprehended the prisoner at the house of Mr. Kent, on suspicion of stealing the watch, in consequence of information I had from a prisoner now in custody—on the way to Union-hall, he said it was a bad job, and he wished he had had nothing to do with it—I asked him if there was anybody in it besides a man I had

in custody—he said "No," but afterwards said "Yes," and said the watch was given him by a man named Wilson—I asked him if he could tell me where Wilson lived, or where he worked—he said he could not—the watch was not produced in his presence—Mr. Kent had sent for the prisoner to his house—he came, and I said he was my prisoner—he asked what for I said, "Respecting the letter sent to Mr. Kent, and respecting the watch he has lost."

JOHN CORNELIUS M'BANE. I am in the habit of going to the prosecutor's house, having some writing to do for two or three butchers there—in consequence of the letters being sent to the prosecutor in a law hand, he suspected me of writing them, and had me taken into custody—he took me over the water, to Noel's house—on the 2nd day a policeman, Bond, took the prisoner into custody, and presently said to him, "This is a bad job, have you any family?"—he said, "I have—it is a bad job, and I am sorry that I did it."

NOT GUILTY.

Before Mr. Sergeant Arabin.

1127. JAMES HURLEY was indicted for stealing, on the 2nd of March, at St. Mary, Lambeth, 1 watch, value 10*l.*, the goods of Sarah Brownell, in her dwelling-house.

ANN NASH. I am servant to Sarah Brownell, a widow, in Marlborough-place, Kennington, in the parish of St. Mary, Lambeth. About the 2nd of February, a man, who I believe to be the prisoner, came and offered some fowls for sale—he asked me to show them to my mistress, who was in the parlour—I did so—I saw the watch on the table just before—mistress did not wish to buy the fowl—he asked 3*s.* for it, and then half-a-crown—I disputed the fowl being young, and he said he would leave it and call for the money in a fortnight—he went away leaving it, and did not call for the money—I never saw him again till he was taken up—mistress's watch was missing when he was gone—this is it—(*looking at it.*)

AMBROSE BRADLEY. I am a pawnbroker. On the 6th of March, I was at Mr. Sowerby's, a pawnbroker, who lives in the same street as I do—while I was in the dining-room, this watch was brought up to him as offered to pawn for 25*s.*—Mr. Sowerby being ill, requested me to go down and question the person—I went down and saw the prisoner—I asked him if it was his watch—he said "Yes"—that he bought it of a man in the street and gave him 3*l.* for it, and he had had it six months—it was a gold watch—I should value it at 10*l.*—I gave him in custody.

GUILTY. Aged 44.—Transported for Ten Years.

Before Mr. Common Sergeant.

1128. JOHN HAYES was indicted for stealing, on the 27th of February, 1 jacket, value 12*s.*, the goods of William Goodman.

WILLIAM GOODMAN. I keep a beer-shop in the London-road. On the 27th of February, the prisoner was in my tap alone—I missed my jacket just upon ten o'clock at night—I had seen it safe about a quarter before ten o'clock—I was pulling the prisoner out—my wife came to assist me, and then the jacket was gone—Lincoln, who was bound over, and has since absconded, was assisting me in the bar—he went and ordered the prisoner out.

THOMAS WINCH (*police-constable M* 40.) I received information and took the prisoner into custody—I took him to Mr. Goodman's house, when he identified him as being the person who had been at his house.

HENRY ERRINGTON (*police-constable M* 81.) I was with my brother officer when he took the prisoner—I had found him sleeping once or twice in a cart, and I went to some carts and found this jacket in an apron, rolled up, about twenty minutes past ten o'clock.

NOT GUILTY.

1129. THOMAS BOWMAN was indicted for stealing, on the 28th of March, 1 shawl, value 5*s*., the goods of William Carter.

WILLIAM CARTER. I lodge at Freeman's, in Wandsworth. Between six and seven o'clock on the evening of the 28th of March, I missed my wife's shawl—this is it—(*looking at it*)—the prisoner slept in the same house as I did.

JAMES DONOVAN (*police-constable V* 34.) I took the prisoner.

FANNY STEWARD. This shawl was pledged at my house on the 28th of March, by the prisoner.

Prisoner. I was very tipsy—I do not know whether I did pawn it or not. *Witness*. He was not tipsy.

GUILTY. Aged 27.—Confined Three Months.

Before Mr. Sergeant Arabin.

1130. CHRISTOPHER ATKINSON was indicted for stealing, on the 15th of February, 1 pair of shoes, value 3*s*., and 1 pair of gaiters, value 1*s*., the goods of Henry Cooper; 1 pair of trowsers, value 10*s*., and 1 towel, value 6*d*., the goods of Boyd Alexander; to which he pleaded

GUILTY. Aged 37.—Transported for Seven Years.

(There were two other indictments against the prisoner.)

Before Mr. Common Sergeant.

1131. MICHAEL NUSHAM and ANN JOYCE were indicted for feloniously receiving, on the 23rd of of February, of a certain evil-disposed person, 1 pair of ear-rings, value 5*s*.; 3 rings, value 18*s*.; and 1 musical box, value 11*s*., the goods of Henry Ballard; and 1 ring, value 6*s*., the goods of Samuel Miller, which had been lately before stolen, well knowing them to have been stolen; against the Statute, &c.

MR. ADOLPHUS *conducted the Prosecution.*

HENRY BALLARD. I am a jeweller and watch-maker, and live at Upper Edmonton. On the night of the 13th of February, my house was safely locked up—I was the last person up—in the morning I discovered that it had been broken and entered, and all the property that was within reach was taken—there were between seventy and eighty pairs of ear-rings, seventy brooches, a musical box, a time-piece, and other things—for some time I heard no trace of the robbery—after the 20th of February I received some information, and some things were produced to me—I can swear to them as mine.

Cross-examined by MR. DOANE. *Q*. Were you in partnership with Mr. Miller? *A*. There was an agreement entered into between us—I went to him to learn the business of a watchmaker—he absconded, to my great surprise—I have reason to believe he has made his way to the West Indies

—he left me before these things were stolen—I was not living in the house at the time he left—I received a letter to say that I was to attend to his business as well as my own while he went away—I am living there now—the landlord accepted me as tenant—I am not living in the same house with Miller's wife—I have got rid of her—these things were not his—I will swear that they are all mine.

JOHN COLLISON (*police-sergeant L* 12.) On the 23rd of February, I went in company with another officer to No. 14, Margaret-street, Borough-road, about nine o'clock in the morning—one constable knocked, there was no admittance—a woman at the next house opened the door—I popped in, got over the tilings, and got in at the back parlour of the prisoner's house—I found the two prisoners in bed—the woman put up her hand, and I saw she had five rings on one finger—I took three of them off—the other two I could not get off—she cried and objected to my having them—the other constable was searching about, and he found some other things on the mantel-piece—the male prisoner was lying in bed—he said the rings were nothing but what belonged to her, or something of that kind—I took the rings to the prosecutor—he had no difficulty in knowing them—he had given a description of the property before.

Cross-examined. Q. Did you find some other persons in the house? *A.* Yes, three more females in another part of the house—I believe they had been in bed—they came down half-dressed.

HENRY KIDNEY (*police-constable L* 86.) I went to the house with Collison—I found a pair of ear-rings and a pearl and garnet ring on the mantel-piece—the prisoners were in bed together—these are the things I found—(*producing them*)—the male prisoner said there was no other property but only what was hers, alluding to Joyce.

JANE DAWSON. I am the wife of William Mason Dawson. I know the two prisoners—they lived at No. 14, Margaret-street—they had the house—I lodge there, and paid rent to Mr. Nusham—I was present when they were apprehended.

NOT GUILTY.

1132. RICHARD DAY was indicted for embezzlement.

WILLIAM PALMER. I keep the Bull's Head, in Great Dover-road. The prisoner was my servant, he was to carry out wine and spirits, and to receive the money from my customers, and pay it to me the day he received it—I have customers of the names of Kenny and Rosier—if he received on the 24th of March 18*s.* 8*d.*, and 15*s.*, I have not had it—he has not paid any thing for Kenny or Rosier—he absconded from my house on the 27th of March, when he was sent out with half-a-dozen of wine to Rosier.

SUSANNAH ROSIER. I have been in the habit of dealing with the prosecutor—I paid the prisoner 15*s.* when he brought the wine, on the 27th of March, for his master—I have the receipt.

MARY ANN KENNY. My father deals with the prosecutor. On the 24th of March, I paid the prisoner 18*s.* 8*d.*—I have the receipt for it.

Prisoner's Defence. I overtook a young man who asked me to stand treat with some gin—I said I had no money of my own—he said I had in my hand—I said that was my master's—he said I could spend a shilling or two of that, and he would make it up at night—he never did—and then when I went out again I did not like to go home.

GUILTY. Aged 21.—Confined Three Months.

1133. EDWARD NUNN was indicted for a misdemeanor.

MESSRS. CHAMBERS AND THOMPSON *conducted the Prosecution.*

ANN RIVERS. I am the wife of John Henry Rivers, who keeps the Fox and Hounds, at Southwark. The prisoner came to my shop on Friday, the 16th of March, between eleven and twelve o'clock—he asked for three half-pennyworth of gin, and offered a half-crown—I said it was a bad one, and I pushed it towards him—he said it was not a bad one, I did not know a bad one from a good one—I took it, and put it on a back table, and said, whether bad or good I would not return it, and made a motion to a lad to fetch a policeman, which he did, and took him—I gave the half-crown to the policeman—he said I had better mark it, which I did.

Cross-examined by MR. DOANE. *Q.* How long was he in your place? *A.* Not more than five minutes.

EDWARD JOHN JEANERET (*police-constable M* 20.) I took the prisoner, on the 16th of March, at Rivers's house—I searched him, and found one half-crown, six shillings, one sixpence, and 9*d.* in copper, all good money—he pretended to be drunk—I never saw a person who was drunk act as he did—I believe it was feigned.

Cross-examined. *Q.* Will you swear he was perfectly sober when you took him into custody? *A.* He was when I got him to the station—I cannot say whether he was when I took him.

JOHN WILLIAM CHURCH. I keep a beer shop in Penton-street, Walworth. On the 19th of March, a man, who I believe to be the prisoner, came and asked for half a pint of beer—I served him—Mrs. Church took the shilling, and gave 11*d.* change—he then left—in a quarter of an hour I saw him again—he then asked for a half-pint of beer, and offered a half-crown—I said, "My man, this is a light one, it won't do"—I meant it was a bad one—I returned it to him immediately—he left the house, signifying that he had just taken it from some woman—before he left he paid me with a penny—I went to the door a few minutes afterwards, and gave directions that to Trafford, the policeman—I did not see the prisoner again till he was committed at Union Hall—I think that was a fortnight or three weeks afterwards—I saw him by himself—he resembled the man that offered the half-crown, but I could not swear to him—I had the shop full of customers at the time, and I hardly took sufficient notice of him.

JOHN TRAFFORD (*police-constable P* 176.) On the 19th of March Church gave me some information, in consequence of which I took the prisoner into custody about three hundred yards from Mr. Church's house, walking up the street—I asked what he had got in his hand—I saw he had something—he did not make any answer—he kept his hand clenched—I attempted to open it, and made his fingers bleed—I threw him down, and succeeded in opening his hand—I found in it this counterfeit half-crown—(*producing one*)—I took him to the station, and found on him one shilling, three sixpences, and 1*s.* 4½*d.* in copper—he was drunk at that time.

Cross-examined. *Q.* What was the charge you took him up for? *A.* For being drunk—when I took him to the office he was identified as having been there on the Saturday.

JOHN FIELD. I am inspector of counterfeit coin to the Mint. These half-crowns are both counterfeit, and both from one mould.

(The prisoner received a good character.)

GUILTY. Aged 28.—*Recommended to mercy by the Jury.*—

Confined Three Months.

1134. JOHN BURTON was indicted for stealing, on the 8th of February, 2 sheets, value 8*s.*; 1 counterpane, value 10*s.*; 1 blanket, value 4*s.*; 1 table-cloth, value 3*s.*; and one looking-glass and frame, value 20*s.*; the goods of Francis Scipio; also, on the 12th of February, 1 pair of boots, value 12*s.*; 2 sheets, value 5*s.*; 1 brush, value 1*s.*; and one pair of shoes, value 8*s.*; the goods of Richard Bolt:—also, on the 24th of February, 2 blankets, value 10*s.*; 1 counterpane, value 10*s.*; 1 sheet, value 3*s.*; and 1 table cloth, value 3*s.*; the goods of Hannah Abel:—also, on the 13th of March, 1 table-cover, value 5*s.*; 1 hearth-rug, value 9*s.*; 2 blankets, value 15*s.*; and one counterpane, value 13*s.*; the goods of Christopher Battcher; to all of which he pleaded

GUILTY. Aged 63.—Confined Twelve Months.

1135. JAMES FOY was indicted for embezzlement.

JOSEPH GROSS. I am a cart-grease manufacturer, and live in Little Lant-street, Southwark. The prisoner was in my employ—it was his duty to send goods out, and afterwards to call and receive the money, and pay it to me as soon as he received it—he has never paid me 4*l.* 2*s.* 6*d.*, as received, on the 12th of February, from Rowland and Brewer—I sent him several times for it—he told me it did not suit them to pay then—when I came home off a five-weeks' journey, I asked him to call again, and he told me they wished to run a six-months' account—he has never paid me 2*l.* 7*s.* 6*d.* received on the 5th of March, nor has he entered it in the book.

Cross-examined by MR. BALLANTINE. *Q.* How are you able to tell what money is paid on different days? *A.* The dates of the bills of parcels which he signs will show—it was the prisoner's duty to enter the sums of money he received in this book—no such sums are entered—I have the two bills of parcels which he signed.

HENRY COX. I am clerk to Messrs. Rowland and Brewer, of High-street, Southwark. We deal with Mr. Gross—I paid 4*l.* 2*s.* 6*d.* on his account to the person who signed this bill in the name of Foy, and I afterwards saw Mr. Brewer pay 2*l.* 7*s.* 6*d.* to the same person.

JOSEPH GROSS *re-examined.* These bills are both in the prisoner's hand-writing—I have two other men in my employ, but they cannot write at all—I have seen the prisoner write, and know his hand-writing—the prisoner has been in my employ for ten months—he bore a good character up to this time—his wages were small.

(The prisoner received a good character.)

GUILTY. *Recommended to mercy.*—Confined Three Months.

1136. RICHARD PALMER and JAMES STRUGNELL were indicted for stealing, on the 18th of March, 1 sheep, price 2*l.* 5*s.*, the property of Francis Peachey.—2nd COUNT, for killing with intent to steal the carcase.

MR. BALLANTINE *conducted the Prosecution.*

FRANCIS PEACHEY. I am a butcher, residing at Brixton. On Friday, the 16th of March, I intrusted Edwards, my servant, to take ten sheep to Herne-hill to feed—I have since seen some pieces of skin which I know belonged to my sheep—it had my mark on it—it belonged to one of those I sent Edwards with—I also saw some sheep's feet, but I do not identify them.

WILLIAM EDWARDS. I am the prosecutor's servant. On Friday, the

16th of March, I drove ten sheep of his to a field belonging to Mr. Devas, at Herne-hill—on Monday afternoon, the 19th, I went to fetch them away, and missed one—I looked about, and on the bank parting two fields, I observed some foot-marks—I followed those foot-marks—they led to the back of Regent's-row—I found a little wool on each of the hedges through which I passed, and I found the heel of a shoe—this is it—I examined the foot-marks—I should say they were foot-marks of two persons, as they were of different sizes—I gave the heel to my mistress—she is not here.

Mr. Doane. *Q.* Was anybody with you when you traced those foot-marks? *A.* My young master, Mr. Peachey—he is not here—it was not very fine weather—I do not recollect whether it had rained just before, it was rather damp—the hedge is on the top of a very high bank—it is not unusual for sheep to get up, and leave their wool there—I only saw one gap in the hedge—the foot-marks went within forty yards of Regent's-row—there are about thirty houses in the row.

Mr. Ballantine. *Q.* What description of ground was it where you traced the foot-marks? *A.* There were tares sown there—it was not very wet ground—it was a little damp—I was not able to see the foot-marks distinctly—some I could, and some not.

John Webb. I am in the service of Mr. Devas. On Sunday, the 18th of March—between one and two o'clock in the afternoon, I counted the sheep in Mr. Devas's field, and there were ten belonging to Mr. Peachey.

Samuel Willeter (*police-constable P* 132.) On Tuesday morning, the 20th of March, I went to Mr. Devas's field, and saw the foot-marks—I followed them to a field at the back of Regent's-row—the prisoner Palmer lives about 140 yards from where I found the last foot-marks—the foot-marks stopped there—it was where the sheep was slaughtered, for there was a deal of trampling and blood there—I received the heel of a shoe from Mrs. Peachey—I had observed that one of the foot-marks was without a heel—there appeared to be foot-marks of two persons—I took Palmer into custody, and when I took him to the station-house I examined his shoes, and found one shoe deficient a heel—I have compared that heel with his shoe, and they exactly correspond.

John Stoffell. I am a policeman. I accompanied Willeter to the field, and saw the foot-marks—I observed some small portion of wool on the hedges where the foot-marks had been—the prisoner Strugnell lives about forty yards from the last foot-marks—nearer than Palmer—I accompanied Willeter to Strugnell's house, and saw him take a bag from the top shelf of a cupboard there—it contained fat of some description—I asked Strugnell where he got it from—he said he bought it of a dog's meat man on Brixton-hill—I asked him who the man was—he said he did not know who he was, but if he saw him again he might know him—he said it was stag's fat—I also found a chopper in the cupboard, which appeared to have been recently used—it had fat sticking on it.

Francis Peachey *re-examined.* I have seen the fat found at Strugnell's—it belongs to a sheep—there is a difference between that and stag's fat—an ignorant person might not know the difference—it is a different colour.

Joshua Bloss. I keep the Regent's public-house. On the 18th of March, between four and five o'clock, I saw the two prisoners together—I was present when the skin of the sheep was found in the field, at the back of Regent's-row—the gardens belonging to the row extend to all the houses

—I cannot say whether the people there are in the habit of walking about the fields.

JOHN WEBB *re-examined*. The field the skin was found is no thoroughfare—it is two fields from my master's—the people have no right to walk there, but they might do so sometimes.

NOT GUILTY.

MIDDLESEX CASE.

Monday, April 9th, 1838.

Sixth Jury, before Mr. Baron Parke.

1137. THOMAS WILLIAMS was indicted for feloniously uttering, offering, and disposing of, and putting off, a forged will and testament, with two forged codicils thereunto, purporting to be the will and codicils of Jones Panton, with intent to defraud William Barton Panton, knowing the same to have been forged; against the Statute, &c.—2nd COUNT, stating it to be with intent to defraud William Barton Panton, and Martha Hamilton.—3rd COUNT, with intent to defraud William Barton Panton and another.—4th COUNT, with intent to defraud the next of kin of the said Jones Panton.

SIR WILLIAM FOLLETT, *with* MESSRS. PHILLIPS, CLARKSON, *and* BOSKIN, *conducted the Prosecution.*

CHARLES PARKINSON. I am clerk to Mr. Budd, a solicitor. I produce a deed, and also a settlement.

EDWIN OLDFIELD. I am an attorney, living in Denbighshire. I am attesting witness to this deed and settlement.

Cross-examined by MR. ATTORNEY GENERAL. Q. Did you see these deeds executed by all the parties? Yes; I saw them all sign—(*looking at a letter*)—the body of this is my brother's writing, and the signature my father's—the address is in my father's writing—I know Hugh Thomas, the brother of Mrs. Lewis, and I know Mrs. Lewis.

(*This deed and settlement were dated the 8th and 10th of December*, 1823, *settling upon Jones Panton the younger, the son of Jones Panton, and his heirs, certain estates in Merionethshire, Anglesea, and Denbighshire, the deed settled 7000l. on each of his younger children.*)

JOHN JONES. I am a solicitor, and town clerk of Beaumaris. I prepared this will (*looking at one*) from instruction from the testator himself—Mr. William Boggie is one of the attesting witnesses, and I am one—I also prove the codicil of the 17th of November, 1829—the codicil is attested by Jane Thomas, (one of Mr. Panton's servants,) Henry Brereton, and John Jones.

Cross-examined by MR. ATTORNEY GENERAL. Q. Who are the other attesting witnesses to the will? *A.* Henry Brereton, he was bailiff to Mr. Jones Panton—I knew Mr. Jones Panton for more than forty years—he was a prudent, sensible gentleman—I am not aware of his being sometimes changeable in his opinions—I cannot give evidences of his having differences and reconciliations with his family, further than mere report.

Q. Do not you know of a will prior to this, that bears date 1828? do not you know of a will that he made in 1824? *A.* I cannot give you the date, but I prepared this subsequent will, either from a copy, or a former will.

Q. Do not you know that Mr. Williams, an attorney at Beaumaris, had prepared a will for him in 1824? *A.* I believe it was from that very will I that prepared the chief part of this—it was from Mr. Panton I received it—I cannot tell whether it was a copy or not—I only knew of the one will that I had before me when I prepared this—I must have received instructions from Mr. Panton at the time to prepare this will, but I have looked among my papers, and can find none—with regard to the codicil of 1829, I took heads of instruction at the time, but I cannot find them—I cannot tell whether he signed the instructions he gave me, I do not think he did —I prepared a draft of the will, which I have got—it was shown to him, read over, and approved by him, before it was engrossed—it was not signed by him—I very rarely have instructions, which I receive for a will signed by the testator—I cannot bring to my recollection that I ever got instructions signed—I have generally waited on the party, and taken instructions from him, but I cannot recollect that I ever got them signed—I may have had them signed, but have no recollection of it—I cannot state when Jones Panton, the testator's eldest son, died—he was alive when the will was made, and I think the codicil too.

Sir W. Follett. *Q.* There were two copies of that will made, were there not? *A.* Yes—I left one with the late Mr. Panton, and I kept the other—I know Mr. Paul Griffith Panton—I heard that he was not latterly on good terms with his father—I think Mr. Paul Griffith Panton lived somewhere in Denbighshire or Flintshire—I think he lived at Pont Clifford—I was not aware of the settlement—I have the duplicate of the will here now—it has never been opened—it has been in my possession since the 17th of November, 1829, the time the codicil was made.

William Boggie. I am an attorney, residing at Beaumaris. I am one of the attesting witnesses to this will—it was attested by three witnesses in presence of the testator.

(*This will being read, dated 5th November,* 1828, *reciting the settlement of* 1823, *and bequeathing the property hitherto undisposed of, to various parties, and appointing W. B. Panton, sole executor;—a codicil, dated* 17*th Nov.* 1829, *was also here put in and read, reciting the will, but revoking part, which bequeathed the whole of the personal property to his son and two daughters, and bequeathing the plate, furniture, &c., in his house at Plasgwyn, to the person in possession of that estate.*)

Rumsey Williams, Esq. I am an attorney at Carnarvon, in Wales. I am the father of Mrs. Barton Panton—she was married in 1832—I prepared this codicil, dated the 21st of April, 1831, by direction of Mr. Jones Panton —I witnessed it, also Oldfield, Grinley, and William Thomas, who were then clerks to me.—(*This codicil was here read, leaving certain property to his youngest son, William Barton Panton, appointing him sole executor, and among other legacies,* 10*l. to his daughter, Mrs. Hamilton, and* 400*l. to Mrs. Thomas Williams.*)—I also prepared this codicil of the 29th of May, 1833 —I am one of the witnesses—Brereton and Owen Roberts are the others.

(*This codicil being read, merely reduced the legacy of* 400*l. to Mrs. Thomas Williams, to* 200*l, and confirmed the former disposition of the property.*)

Q. You knew that Mr. Jones Panton, the son, was dead? *A.* Yes, he left no son, but daughters—at the time Mr. Panton applied to me on the subject of the will, my son was not holding the office of Under Sheriff to him—he had done so previously—I had known Mr. Panton a great num-

ber of years, but was not on terms of intimacy with him—he was a person of considerable property—my daughter married Mr. Barton Panton in August, 1832—previous to the marriage it was stated by Mr. Panton, that my daughter and her husband should continue to live with him—that was not in writing—they went to reside with him, and did so till the time of his death—they had a daughter, who is the only child they now have—they had a son, but he is dead—I was in the habit of being at Plasgwyn, and seeing my son and daughter there, half a dozen times in a year, perhaps—they were living on terms of great friendship with Mr. Panton, and there appeared very great affection on the part of the old gentleman towards the grandchild, which continued down to his death—I was not aware of any change of his affection or intention—Mr. Jones Panton died on the 26th of May, 1837—I recollect being at his house on the 12th of that month—Mr. Bettiss had been to me before, with a message from the testator, requesting me to send the will to him—I sent for answer that I would take it there myself, and two or three days after I went with the will to Plasgwyn—I received this letter (*looking at one*) from Mr. Bettiss before I took the will over—I took the will and codicils over on the 12th of May—it had been in my possession from the time of the execution of the last codicil—I did not observe any thing particular in the state of health of the testator—he told me he had a cough—he was, I think, seventy-four years old—I had other business to transact with him before the will—I had a lease to be executed from him to a tenant—a Mr. Willis, which Mr. Flower has—this is the lease—(*looking at it*)—after this lease was executed, I told him I had brought the will at his request—it was in a brown paper parcel—he desired me to open it, and I did so—he looked at it cursorily, and said, "I wish to have a codicil added to it—I wish to give my daughter (the prisoner's wife) 2000*l.* instead of the 200*l.* I had given her by the former codicil"—I cannot recollect whether he called his daughter Mrs. Williams or Lauretta—he also said, "I wish to give to Barton's daughter 3000*l.*, and if I don't live very long, with the accumulation, it will make her a pretty fortune by the time she is twenty-one, but," said he, "I will not do it to-day, it may be done another day"—he then desired me to seal the will up again, which I did, and put it on the table before him—no one was present when I had this conversation with him, but Mr. Barton Panton and Mr. William Jones came in soon after, and after sitting a few minutes, the testator said, "Here, Barton, here are my last will and codicils, take them"—or, "keep them," I cannot tell which—they were then delivered to Mr. Barton Panton—I dined with the testator that day, and never saw him afterwards—I was not present at his funeral.

Cross-examined by MR. ATTORNEY GENERAL. *Q.* On this day Mr. Panton was in his usual health? *A.* I did not see any thing otherwise—he was a very old man—he said he had a cough—he intimated an intention of making a codicil to his will, and on that very day he delivered the will to Barton, to keep it as his last will and codicil—Mr. Barton Panton had been a suitor to my daughter, from the latter end of 1831, or the beginning of 1832—it was not earlier—I was carrying on business as a solicitor at Carnarvon, which is about fifteen miles from Plasgwyn—when my son was Under Sheriff, he brought an action for Mr. Panton against Mr. Bulkly Williams, for a diamond ring, and I had brought an action against the prisoner, Mr. Thomas Williams, and his wife, for a breach of promise of marriage by her, at the suit of Hugh Griffith Jones, but it was settled—

to the best of my recollection, the diamond-ring was the only professional business I did for him before making the codicil to the will—he came to my house at Penross, which is within a mile of Carnarvon, on that business—I did not know of any will made by Mr. Williams of Beaumaris—all I saw was the settlement on the son's marriage, and the will of 1828, and the codicil—he did not mention a word to me of any prior will that he had made—I took instructions from his mouth, as to the alteration he wished to make in disposing of his property—it did not appear to me to be rather a new will than a codicil to an existing will—I do not recollect what part of the will was to remain in force—his instructions were, that neither Mrs. Hamilton nor Mrs. Williams should take any part of the unsettled property, or personal property, except 10*l.* to the one, and 400*l.* to the other, and every thing else was to go to his son, Barton—he did not tell me whether to prepare a codicil or another will—he left that to me, and I thought it would be more convenient to have a codicil, otherwise I should not have done so—no person was present when he gave me instructions—I do not know where the prisoner and his wife were living at that time—I know Brynbras Castle, it is four miles from Carnarvon—I have known the prisoner a great number of years—he resided at Brynbras Castle in good style, I believe—I was not on visiting terms with him, and never had been so—I should not know Mrs. Williams if I were to see her now—I believe Mr. Williams had ceased to practise as a solicitor for a good many years—he had no clerks or establishment as a solicitor, to my knowledge—when Mr. Barton Panton made his proposals to my daughter, I was aware of the will which his father had made in his favour—I believe Mrs. Hamilton was at that time living at Chester—after I had made the two codicils for Mr. Panton, I believe I distrained for rent on some tenants of his—that was all I did for him, to the best of my recollection.

Q. With respect to the second codicil whereby the legacy to Mrs. Williams was reduced from 400*l.* to 200*l.*, did he come to Carnarvon to give you instructions for that? *A.* No, I happened to be at Plasgwyn, and he said, "I want to make an alteration in my will, and when you come again, I shall be glad if you will bring it with you"—I did not take any instructions for that, nor make any draft—Owen Roberts is the gardener at Plasgwyn—I do not know that he is here—he may be in London, for any thing I know—Brereton is very ill and cannot attend.

Q. Have you had any thing to do with this prosecution? *A.* I recommended my son-in-law to consult Messrs. Harmer and Co., and to employ them upon it, that is all I know—I first knew of this prosecution being about to take place, I suppose, in the month of March—I cannot tell what time in March—I am not positive at what time—I attended here to give evidence, I think, in February—I advised my son-in-law to employ Messrs. Harmer and Co., as soon as it was discovered that there were pencil-marks on some of the papers—I think that was the latter end of January, or the beginning of February—the prisoner was then living at Brynbras Castle—I know there was a suit pending in the Ecclesiastical Court respecting the validity of the will—I was only informed of the pencil-marks after the Commission had been closed—my clerk sent to me to say so—it was after the Commission was closed that I gave the recommendation about Mr. Harmer—I did not give the recommendation that Mr. Williams should be arrested, or that his papers should be seized, without any warrant—I was in London at the

time—I knew nothing of it—I did not give directions that Ann Williams and Ellen Evans should be indicted—my clerk has summoned the witnesses—his name is Tyrer—Messrs. Harmer and Flower wrote to say what witnesses should be summoned—I believe I only wrote them two letters—Mr. Tyrer was in town, and he consulted with them respecting the witnesses to be brought up—I certainly approved of his taking a part, in summoning the witnesses—the property that is in dispute between my son-in-law and Mr. Williams is, I believe, considerable—I really cannot tell what the personal property amounts to—I have understood it to be 50,000*l.* or 60,000*l.*, of which Mrs. Hamilton and Mrs. Williams were to have had a share, but according to the codicil they do not—I cannot tell what the unsettled landed property was—I never inquired—I could not tell when I was examined before—it may be very likely from 5,000*l.* to 10,000*l.*, but I cannot tell—I do not know that the testator bought some estates for my son-in-law, that were conveyed to him during his life-time—I was not concerned in it—I did not learn that from Mr. Panton—I know that Mr. Barton Panton has property, that is all—I do not know Ann Williams—I saw Ellen Evans at the Ecclesiastical Commission once, that was the only time—I did not know John Williams—I never was at Brynbras—the Mr. and Mrs. Williams against whom I brought the action, were the prisoner and his wife.

SIR WILLIAM FOLLETT. *Q.* How long back is that? *A.* I think it must have been in 1829—the prisoner was married shortly before that, I think—I cannot tell whether he carried on business till the time of his marriage—he had carried on business at Bangor—I knew him in business—I cannot tell whether he has practised since his marriage—the house he lives in was built by him after his marriage—my son was Mr. Panton's under-sheriff in 1829, and the marriage was in August, 1832—in the course of the inquiry, I understood that certain pencil-marks were on the documents; and witnesses were examined before the examiners in the Court during the inquiry in January last; and, as far as I know, Messrs. Harmer and Flower have had the management of this case since that time.

GEORGE BETTISS. I reside at Carnarvon, and am a slate merchant. I knew the late Mr. Panton, the testator—I remember the marriage of his son, the prosecutor, with Miss Williams, the daughter of Mr. Rumsey Williams—I had been requested to negociate that marriage—I know the testator was gratified at that marriage having taken place—I know he said before the marriage that he highly approved of the match; and if the parties would live with him till the time of his death, that Mr. Barton Panton should have the bulk of his property—I was on intimate terms with the late Mr. Panton from that occasion—there was a sleeping-room in his house called after me; and in the hunting season, I was frequently a guest at his house—he appeared very much attached to his son Mr. Barton Panton—I remember the birth of their little girl—the old gentleman was particularly fond of the child, and very anxious about her safety and welfare on all occasions—I remember in May, 1837, making an engagement to go to Chester Races—Mr. Barton Panton was to have been my companion—the races commenced on Monday the 1st, and lasted the whole week—I intended to go on Thursday the 4th, but we did not go; for on the evening on the 3rd, on my arrival at Plasgwyn, the old gentleman expressed his particular wish that we would postpone our visit—he said he had particular business to transact with Mr. Barton Panton the following morn-

ing—he said he was not in as good health as usual, and did not appear so—he had a severe cold—I believe he died in the seventy-sixth year of his age—I slept there that night—on the morning of the 4th of May, Mr. and Mrs. Barton Panton breakfasted with the old gentleman, and the little girl was present—on Mrs. Panton and the child leaving the room after breakfast, the testator gave Mr. Barton Panton the key of his library, and desired he would go up stairs in the library, and in the left hand cupboard he would find a roll of papers scrawled or figured on the outside, and he was to bring them down to his father—he did so; and after his bringing them down, the old gentleman took them out of his hand, and then handed them back to him—he said, "Here, Barton, these are Bank receipts for stock (or funds) to the amount of from 28,000*l.* to 29,000*l.*; I give you these, and on about 20,000*l.* of them no dividend has been received for ten years, since 1827"—he then said, "Now, Barton, I think you have staid at home to some purpose"—he then told him he gave him all the money he had in the house—all the money he had in the hands of his bankers, Messrs. Douglas, Smalley, and Co., at Holywell and Mold, and in the banking-house of Williams, Granville and Co., at Chester and Carnarvon—he then said he gave him all the arrears of rents due on his respective estates, and all the rents that would accrue due to the time of his death—his daughter was not mentioned in the course of the conversation at all—he then said, "I give you all my share and interest in mining concerns, all my canal shares, all my securities for money, all my plate;" and he handed him the key of his plate-chest—he said, "I give you all my books," handing him the key of the library at the same time—"I give you all the wine in the cellar," handing him the key of the wine-cellar; "and all my farming stock, and personalty of every kind"—he said, "Take great care of all, particularly of Ann and little Missy, as I can't be long with you"—he then said he had desired I would not go in the morning before breakfast, as he wanted me to be present to witness that transaction; and he expressed a wish that I would call on Mr. Rumsey Williams for a parcel which I was to take with me to Plasgwyn the next time I went there; and he said the next time he saw me he would give me his reasons for wishing me to stop over that morning—I called on Mr. Rumsey Williams, but I did not get the parcel—the word the old gentleman used was, "a parcel of his," and I was not able to tell Mr. Williams what parcel he wanted—I called at Plasgwyn on the Monday following—the Sunday was very tempestuous—I was in the habit of going on Sundays, but I put it off—I told Mr. Panton what took place about the parcel, and he expressed his surprise that Mr. Williams had not known what he wanted, as it was his will he wanted—he said I should call again on Mr. Williams, and bring the will over the next time I came to Plasgwyn.

Q. Look at this paper—(*handing a paper to the witness*)—do you see your name to it? *A.* Yes—I wrote this to Mr. Rumsey Williams, and sent it on the day it bears date.—*This being read, was upon a subject irrelevant to the case, but to it was added the following PS. "It was the will Mr. Panton wanted, I am going there this evening, have you any commands?*—9th May, 1837."

Q. Do you remember having mentioned the will, the testator saying any thing to Mr. Barton Panton? *A.* Yes—he told him it was the will under which he would take all his unsettled estate, and he said to me, "When you called on me previous to the marriage of Mr. Barton Panton with Miss Williams, I told you if they lived with me to the time of my death,

that Barton Panton should have the bulk of my property at my decease," and that was the reason he wished me to stay, that I might see that realised—this was on Monday, the 8th of May—on the 13th of May, I received intelligence with respect to the state of health of the testator—I went to his house in consequence—I found him very poorly—I went on the 13th—he died on the 26th of that same month—between the 13th and the 26th, I was occasionally backwards and forwards there, to see the old gentleman, either late or early, I believe every day, till his decease—he did not say any thing to me, to my recollection, with respect to the transaction I had witnessed—I was at the funeral of the old gentleman—the prisoner was there—he came very late, just as the remains were about being removed into the hearse—he went to the funeral with the rest—I did not see him after the service had been read and the ceremony had been performed, not after he left the churchyard—in Wales, after the funeral of the deceased, it is generally the case, that parties expecting to be interested under the will, go in to hear it read—I went with Mr. Barton Panton and Paul Panton—the prisoner did not go in at all, and in consequence of that the will was not read—I know the prisoner's hand-writing—I have seen him write.

Q. Look at these three papers, Nos. 3, 4, and 5, and tell me whose handwriting they are? *A.* Mr. Thomas Williams, the prisoner—(*read.*)

No. 3.—"The rain made me turn back to Rhuulas, will you appoint a day for us to meet, and Mr. Bulkley Williams can be sent to; can I see it here, as I want to leave the country?—5th June, 37.

"For William Barton Panton, Esq."

No. 4.—"The illness of your sister takes me out of the country, and you have refused, on two or three applications, a meeting of those interested in the settlement of you and her father's affairs. I think it in consequence proper to give you notice, that you shall not prove any will, without its being first shown, and I will enter a caveat accordingly. "T. W.

"For W. B. Panton, Esq."

No. 5.—"Brynbras, Carnarvon, June 6th, 1837.

"Sir,—By my messages to you, requesting you to appoint a day to represent your father's affairs, I had no wish to occasion any angry feeling. Naturally, I would be anxious to have that day appointed before I left the country, and your last note puts it off for a few days longer, which will prevent me attending the meeting. I do not consider this acting very fairly towards your sister, and I think that your father-in-law will tell you the same, and will also tell you that you cannot; that I cannot allow you to prove your poor father's will, to which you allude in your note of yesterday, to be proved, without its being even shown to the family. Mr. Boggie, during our absence, will represent your sister and myself, and he being an honourable man, will do every thing that is just and fair to all parties; and in respect to the caveat, I did call on Mr. Boggie yesterday, at Beaumaris, after the receipt of your note; that I did not mind the threat of it, and desired him to enter it accordingly; however, appoint an early day, and after hearing from Mr. Boggie, I will tell him what to do, and we will endeavour amicably to carry into effect your poor father's intentions; for whom I had great regard, and he also for your sister and myself.

"THOMAS WILLIAMS.

"To William Barton Panton, Esq., Plasgwyn."

Q. Did you answer the one No. 4? *A.* I did—on the 9th of June I attended to hear the will read—Mr. Barton Panton, Mr. Bulkley Williams,

and Owen Owen were present—Mr. Thomas Williams did not attend, nor Mr. Boggie—I know Mr. Gethin Williams, the brother of the prisoner—this letter—(*looking at one*)—is Mr. Gethin Williams's writing—the will was read—Mr. Gethin Williams came to the house afterwards—the will was there, and he sat down and extracted out of the will and codicils—I saw what he wrote—he had liberty to peruse the whole will if he had chosen, but he did not—he read the dates of the will and codicils.

Q. Now take these scrips one by one in your hand—look at the body of the scrip (No. 1.) and tell me in whose writing you believe it to be? *A.* The prisoner's—I believe the body of this scrip (No. 2.) to be the prisoner's writing—the body of the scrips, Nos. 3, 4, 5, and 6, I believe to be the prisoner's writing also—I really cannot say in whose hand-writing No. 7 is—whether it is or is not the prisoner's writing—it is in pencil—I can form no belief as to whose hand-writing it is—this scrip (No. 8.) is clearly the prisoner's writing—I do not know whose hand-writing No. 9 is—Nos. 10 and 11 are in Mr. Williams's writing.

Court. *Q.* You cannot form an opinion about No. 9, can you? *A.* I cannot, my Lord—I speak of the writing of the body of these scrips, not the signatures.

Cross-examined by Mr. Jervis. *Q.* How long have you known the prisoner? *A.* I really cannot number the years, a good many—I have settled an account with him, and corresponded with him—I have often seen him write—I had not known the late Mr. Panton intimately till the eve of Miss Williams's marriage—she is my niece—I am brother-in-law of Mr. Rumsey Williams—since the marriage of my niece I have been very intimate with the testator—I have never corresponded with him—I saw a letter go from him into the Post-office—I never saw him write—he was generally a very reserved man—on the 8th of May, when he had this long conversation, he did not read it from a paper.

Q. Can you repeat it to me in the precise words he made use of, in the first person?—(*The witness repeated the conversation as before, and proceeded*)—this was on the 4th of May, and I left on the 4th—I saw Mr. Rumsey Williams on the following Saturday—I did not mention these gifts to him—I cannot say when I first mentioned this to Mr. Rumsey Williams—I think I did so before I knew the date of the last codicil—I cannot positively swear it—this gift was confirmed again on the 8th of May, the day after the date of the last codicil—I was appointed Committee of a lunatic estate of Mr. Wheeler, jointly with a person of the name of Jones.

Q. Now tell me whether the note, at the bottom of this letter, is not Mr. Rumsey Williams's letter? *A.* Yes it is—*read*—(*This was the same paper as was produced in page* 1115, *and at the foot of it was written, "I will go to Plasgwyn in a day or two, and take Mr. Panton's will, and deliver it to him myself.*—H. R. W. 10th May, 1837.")

Q. Did you send him the draft of the petition to peruse? *A.* Yes, on the 9th of May, with the postscript stating that Mr. Panton wanted his will; and he wrote this answer on it, and sent it back—I am not aware that there was a second copy of the petition sent.

Q. Who was present after the funeral, when the will was not read? *A.* Mr. Barton Panton, Mr. Bulkley Williams, and Mr. Paul Panton—there was no one there from Mr. Hamilton—I am a slate-merchant—before that I was agent to Lord Newborough (both the present and the late lord) I did not continue in his employ till his death—I wanted what was due

to me, and could not get it—I was not discharged, but I have not been in his employ since 1831—before that I was an innkeeper—I think my sister was married in the year 1796.

Q. You were requested to interfere about the match with Miss Williams? *A.* Yes, Mr. Barton Panton requested it—Mr. Rumsey Williams objected to it, because he did not wish to part with his daughter—Plasgwyn is about fifteen miles from Penross—I do not know when Mr. Rumsey Williams first objected—I did not know of the will of 1831 before the match was in contemplation—I do not think I knew of the will till I was commissioned to interfere—the old gentleman told me of the will and the codicil, and told me if they lived with him till the time of his death they should have the bulk of his property—he never told me what the codicil was.

SIR W. FOLLETT. *Q.* Do you know what Mr. Williams is mentioned in the letter of the 8th of May? *A.* Mr. Rumsey Williams it must be—Miss Williams, who married Mr. Barton Panton, was the only daughter living.

WILLIAM BARTON PANTON, Esq. I am High Sheriff of the county of Anglesea, and youngest son of the late Mr. Jones Panton. My brother's name was Jones Panton—he died in 1830—I have a brother called Paul Griffiths Panton; and I had a brother Thomas, who died in the same year as my elder brother, and before him—I have three sisters, Mrs. Hamilton, Mrs. Bulkley Williams, and the wife of the prisoner—my father came into considerable property by the death of my uncle, in 1822—I remember the marriage of my elder brother with Miss Lewis—I lived with my father from my cradle—I never lived away from him till the time of his death—I was always on terms of intimacy and affection with him—I was the only one of his children who resided with him for several years before his death—I married the daughter of Mr. Rumsey Williams in 1832, and on that a stipulation was made by my father that I and my wife should reside in his house, which was assented to—I have been on good terms with my father, and so has my wife also—I have one little girl, of whom my father was particularly fond—during his last illness I and my wife were in the habit of attending on him, and giving him his medicine—there was no abatement whatever of his regard or affection down to the time of his death—the prisoner and his wife were seldom or ever at Plasgwyn—I recollect an action being brought against my sister and her husband for a breach of promise of marriage—I recollect my father was much displeased about that, and after that my sister did not often come to his house—I was aware that my father had executed some testamentary papers in my favour—I was aware of that at the time of my marriage—my father died on the 26th of May—I remember, on the 4th of that month, his giving me his keys and property—I had intended to go that day to Chester races with Mr. Bettiss, but it was my father's wish that I should stay at home, as he had something of consequence to relate to myself and Mr. Bettiss—I remained at home, and on that day he gave me all his property—he gave me the key of his library, and desired I would go up, and there I should find, in the left-hand cupboard, a roll of papers—I went, and brought them down—he desired me to open them—I opened them, and they were stock receipts—he said they were stock receipts amounting to 28,000*l.* or 29,000*l.*, and on 19,000*l.* or 20,000*l.* of which no dividend had been received since the year 1827—he then gave them to me, and likewise his library, all his plate, his wine, all the money in the different banks, naming the banks, and all his unsettled estate—he then told me to take care, for the sake of "dear little Missy" and my

wife—I thanked him, and told him I would—Mr. Bettiss was there at the time—my father said, as far as I recollect, that he wished a parcel from Mr. Rumsey Williams, and he desired Mr. Bettiss would see him about it —this was on the 4th of May—I remember the Sunday after that, which would be about three weeks before my father died—he was taken materially worse a few days before his death—he had been in the house several days before that.

Q. Are you able to say whether your father left the house on that Sunday you speak of? *A.* He never left the house, he was too poorly—I and my wife were both there—my little girl was unwell at that time—I remember Mr. Rumsey Williams coming to Plasgwyn in a few days after that—I saw him in the room with my father on that occasion—my father called me to him, and gave a large paper parcel, saying it was his last will and codicils, and he told me to take them and lock them up—I locked them up in my dressing-room, and kept them there till after the death of my father —after the death of my father I sent notices appointing the day of the funeral —I appointed the 2nd of June—I sent to all the relatives, and amongst the rest to the prisoner—I was present at the funeral—the parties assembled at the house at Plasgwyn, all but the prisoner—I sent over for him to his brother's house at Rhulass, which is a quarter of a mile off—when the remains were put into the hearse the prisoner joined the procession—after the funeral I returned to the house, and so did all the parties but the prisoner—I did not read the will that day, because the prisoner was not present—the will was on the table to be read, but the prisoner not being there, and I wished him to be present, I did not read it—I saw the prisoner after that—he and his brother came in a gig on the 5th of June, I think —I do not know what day of the week it was—I saw him, he asked if I had any thing to say to him—I said no, I was busy arranging and looking over my father's papers—he did not say any thing to that—he went off—after that I received the note from him marked No. 3—I afterwards received No. 4, which states that no will should be proved till it had been shown, and he would enter a caveat—I sent an answer to that—after that I received a letter from him, dated the 6th of June—I afterwards fixed the day for reading the will, the 9th of June—the prisoner did not attend—the will was then read by Mr. Robert Williams—Mr. Boggie was not there—Mr. Bulkley Williams, the prisoner's brother, Owen Owen, and my brother Paul, were there—the prisoner's brother came after the will was read—he saw the will and codicils, and took notes of the will and codicils —by that will I was appointed the sole executor, and I took steps to get it proved in the Prerogative Court—I advertised some property for sale on the 26th of July—up to that 26th of July I did not hear from the prisoner, or any one else, that he had a will—he had not made any representation of that sort to me, and I had heard of none—it was on the day of the sale that I first heard of any will the prisoner had—that was the first notice I had of it—I gave instruction to oppose the proof of those wills when I heard of them—I think it was about the 7th of February that I first received any information of these wills being written on obliterations of pencil—that was after the commission had been down in Wales to examine witnesses—I am the prosecutor in this case—these are the stock receipts that I received, and which were put away by me—(*looking at them*)—they amount to between 28,000*l.* and 29,000*l.*

Cross-examined by Mr. Attorney General. *Q.* The first time you

which you have shown me, which are marked "9" and "7"—I have seen them before—I have always been of opinion they were forgeries—I saw them before the Magistrate—I never had the slightest doubt about their being forgeries—on the 4th of May, 1837, my father was poorly—he complained of a cold at the time he made the parole will in my favour—I knew of no will whatever, except what my father told me—he did not tell me on the 4th of May, when he gave me the roll, and so on, that he had made a written will in my favour—I knew he had made his will—he did not tell me he had made a will in my favour—he gave me the key of the library, to go up stairs and get this roll, and he gave me the key of the library, with the roll of paper—I offered the key to him, and he said, "No, keep it along with the roll of paper"—I offered him the key directly after I brought the roll of paper down—he then desired me to keep the key, he gave it me along with the roll of paper, and then he said he gave me his books—I was going to thank him, but he stopped me—Mr. Bettiss was there—I believe my wife was in the next room.

Q. You employed Mr. Bettiss to remove any difficulty in the way of the match? *A.* Yes, as a friend—he is my wife's uncle—he has nothing to do with this prosecution whatever—about the 5th of June Mr. Williams called—he sent for me—I came to him—he did not mention that he wished to see the will under which I claimed—I was up in the library, busy—he sent in to me—I came down, and saw him—he said, "Have you any thing to say to me?"—I told him I was busy, and he drove away instantly—nothing more was said—I saw no more of him for a length of time—I had no communication at all with Ellen Evans or Ann Williams before they were taken up—I knew them by sight, during the time they were in service at Mr. Williams's, but never spoke to them in my life—I have not applied to the Ecclesiastical Court to delay publication of the evidence till after this trial was over—there might have been an application to delay publication—I did not wish to delay publication till after the trial—I was not in court at any time when any application to that purport was made.

Q. When did you first say that these papers that are marked "7" and "9" were forgeries? *A.* I said the whole of them were forgeries—I did not allude to one or two—I never had any doubt in my own mind that these two were forgeries.

Q. Did you not at first, when Mr. Williams's wills were set up, say that your father was drunk when he signed these papers? *A.* I did not; I never said that of my father, that he was affected by liquor—I did not say that Ann Williams could not write—I said I thought she could not write—I believed she could not write—I might assign as a reason why the wills attested by her were forgeries, that she could not write—I did so, now recollect, and also said that John Williams could not write—I heard so.

SIR W. FOLLETT. *Q.* Did you believe at the time that John Williams and Ann Williams could not write? *A.* Yes, I do not know the meaning of passing publication in the Ecclesiastical Court—I am not aware whether any application has been made to delay publication—I laid information before the Magistrate, and after that I had nothing to do with the mode in which the warrant was executed, I left it entirely to my solicitor—I laid the information before the Magistrate at Guildhall, and since that it has been entirely with my attorney—my brother Paul Griffith Panton lives in Shropshire—my father and he were not on good terms—he had not been there for ten years, my father had not seen him—I was not brought up to any profession at all—I am turned of thirty.

COURT. *Q.* Your father was not out of the house on the 7th of May, 1837? *A.* He was not—I was in the house all day—I did not go to church—no one came to Plasgwyn that day—my father was sitting in his arm-chair below, or in his bed-room below—it was wet in the morning, and cleared up in the afternoon—I saw nobody whatever at Plasgwyn—my father was sitting in the blue parlour—I cannot say what servants were there—he kept a butler and a footman, two men-servants, and three or four maids—I cannot say how many—a gentleman of the name of Hugh Price came there on the Saturday night, staid over Sunday, and returned on Monday at eleven o'clock.

JOHN BEAMS. I am clerk to the Registrar in Doctors' Commons. I received these documents (*producing eleven scrips*) on the 22nd of July, 1837, from William Henry Gostling, one of the registrars—I placed them among the papers in the Court, filed them in the proper place, and delivered them to Mr. Jennings, an officer of the Court.

Cross-examined by MR. ATTORNEY-GENERAL. *Q.* What are you? *A.* Assistant to the clerk of the papers—I never saw the documents till they were in possession of Mr. Gostling—my duty was to index them, and place them in an exhibit-book, which I did—I examined them at that time—I did not observe any pencil-marks, or traces of a pencil, on them—I did not observe any pencil-marks, or traces of a pencil on them, till they were returned back from Wales—I did not then observe any marks on them immediately, but I did afterwards, when my attention was called to them—they were sealed up, and returned to the Court, on the 13th of February—Mr. Toller had them before Mr. Jennings—he had them on the 4th of September, 1837, till within a few days of Mr. Jennings's leaving town to attend the commission—Mr. Jennings received them from me on the 3rd of January, and perhaps Mr. Toller had returned them to me about a week before then—Mr. Toller is one of the examiners of the Court—he had them for the purpose of examining witnesses in town—when witnesses are to be examined under a commission from our Court in the country, one of the examiners is appointed by the Court to act between the two parties—it is usual to send a proctor on one side, and a proctor on the other, but they may appoint substitutes to act for them—Messrs. Farrar and French were the proctors appointed on behalf of Mr. Barton Panton, and their substitute was Mr. Tyrer—I do not know in what capacity Mr. Jennings has been acting since.

SIR W. FOLLETT. *Q.* You did not notice the marks till they were pointed out, did you then? *A.* I observed some marks of pencil on most of the papers—I made out some letters and some figures, when they were pointed out—I delivered them last to Mr. Jennings—(*the scrips were here handed to the Jury for examination.*)

RICHARD WILLIAM JENNINGS. I am one of the examiners of the Ecclesiastical Court, and have been so upwards of ten years. Scrips are first handed to the proctors, then to the registrar, and then to the office—they are in the care of the registrar, in his court, and then of the examiner, who is likewise a clerk of the registrar—I received these papers from Mr. Beams in the registry of the Prerogative Court, I think, on the 3rd of January—I was to proceed to Carnarvon to examine witnesses—I went, and examined several witnesses with these documents, and then returned them to the Court in perfectly the same state in which I received them—when I received them I did not observe any pencil marks on them; but in the course of the examination of witnesses, at Carnarvon, I did, on the duplicate will

No. 2.—I had not time to examine it minutely at the moment, but on the following day I examined all the papers—I discovered marks on all of them with the exception of one, which was a notarial copy—I was able to make out very nearly the whole of the contents of each of the papers—I discovered some words—they are now discoverable—I could point out very many of the words and figures to the Jury, if the light were sufficiently strong to trace them.

Cross-examined by MR. ATTORNEY-GENERAL. *Q.* Are they in the same state that they were? *A.* Not exactly—they are not so clear as they were—I could read them more clearly in their former state than now.

HENRY ADLARD. I am an engraver, and as such I am in the habit of looking at minute lines on paper. I use a magnifier as an engraver, but to draw I do not use a glass—I examined these scrips both with the naked eye and a magnifying glass, to see if there were any traces of pencil lines on them—I think the first time I had a mirror—I was then able to trace lines and marks of pencil on the papers. I think that was on the 2nd of March, or at the beginning of March—I examined them all—I think there was one without any traces on it—I do not know the number of it—they would not allow me to take notes, and I forget—I observed one of the foolscap sheets was pencilled on the right-hand side, but not the left—I think I can show the one that has not the pencil marks—I was able to trace letters and words—I have seen the papers to-day, and am able to trace and point out with a pen, or any instrument, letters and words on many of these papers—I could point out to the Jury letters, and figures, and marks, on many of these papers—I have not any doubt that the pencil marks on the papers have been attempted to be rubbed out—it appeared to me that the pencil marks had been rubbed out—I am able to tell what appeared to me to have been in pencil previous to the writing on No. 2, which is the plainest.

Cross-examined by MR. ATTORNEY-GENERAL. *Q.* What engraver are you? *A.* An historic engraver on copper and steel—that is what I have been addicted to, and drawing, and maps—what I discovered are now to be seen on many of these papers.

SIR W. FOLLETT. *Q.* Did you discover lines also drawn on the papers? *A.* I did.

DR. JOHN DAUBENY. It is part of my duty to receive affidavits of wills—this affidavit (*looking at one*) was sworn before me by a person representing himself as Thomas Williams, on the 19th of July, 1837.

COURT. *Q.* Are the scrips attached to the affidavit? *A.* I did not look at them—Mr. Wadeson brought me the scrips, with the affidavit, and the person representing himself as Thomas Williams.

RICHARD WILLIAM JENNINGS *re-examined.* *Q.* You stated that you discovered certain pencil marks on these documents? *A.* I did, and I afterwards minutely examined all the documents—I could discover lines, words, and figures upon them—on No. 1, (*looking at it,*) which purports to be the will, I discovered, and still can see, the letter "M," part of the letter "a," and the whole of the letter "p," at the top of the paper—that appears to have formed the word "map"—I can perfectly well recollect the words I saw then, but now the light is such that I cannot discover them, but I can still make out several words—I can plainly now see the word "Bishopgate" on the left-hand side of the paper, and written under a portion of the word "map"—I can also distinctly see the word "street" written after the word

"Bishopgate"—they are written in large bold round hand, not capital letters—I can see, on the right-hand side, the word "Cursitor," and the word "street" following it, written in the same character, with double lines—I then find a line drawn across the paper from one extremity to the other—a double line—there are lines nearly all over the paper, dividing it into it compartments, perpendicularly and at right angles with them—in these compartments there are words which I could make out—I can see in all the compartments there is writing—some I can see—I can see the two words "ground lot," written in letters not quite so large, but of a smaller character than the former ones—I can see the letters "Cur," but I cannot by this light make out the remainder of the word—I can see the words "vacant ground," and under the word "Cursitor" I can see figures, but I cannot distinctly by this light make out what they are—that is under the letters "Cur"—I discovered these words during the time the examination was going on, while the commission was sitting—I am not quite certain whether there was any question about any property in London—I did not, on making this discovery, communicate it to any one immediately—I did subsequently to the substitute for the proctor for Mr. Panton; but he, previously to my naming it, had himself discovered the marks on the papers—the documents were never out of my custody during the whole of the examination, with one exception, when I delivered them to the commissioner, one morning, sealed up in my portmanteau—I returned them in the same state I received them—there were no marks of any kind put on them by me—I am not quite clear who was sitting—it was my duty to deliver them to the registrar who was then sitting, and I did so.

Charles Toller. I am an examiner in the Ecclesiastical Court. These original documents were in my possession for some time—I examined the witnesses to the will, and two other witnesses—I received these documents from the registrar's clerk, and gave my receipt for them—I do not know how long I had them, but I dare say upwards of a fortnight, or it might be more—they underwent no alteration whatever while they were in my possession—I delivered them to Mr. Beams or Mr. Dodd.

Cross-examined by Mr. Attorney General. *Q.* Did you look at them at all? *A.* Yes, I examined the two subscribing witnesses, Ann Williams and Ellen Evans, and I proved the documents in the usual way—to the best of my recollection, I should say I certainly did not observe any pencil marks on them—there was no rubbing, or any thing at all to excite my suspicion—they were in my hands for some little time, of course, before I examined the witnesses—I looked at the papers to see the names of the witnesses, but not particularly—I saw no pencil marks about them—I think I examined the witnesses about the first week in December—I should think the examination lasted a couple of days, or three days—the whole examination—I examined these two witnesses as to their knowledge of the transaction, at some length.

Sir W. Follett. Is it part of the rules of your Court that no one can see the examinations of the witnesses? *A.* No, they cannot, they are not accessible to any one—I looked at the documents for the purpose of seeing the names of the witnesses—I made no inspection to see if I could see any marks on the papers—my attention was not called to it at all.

Edward Weyman Wadeson. I acted as proctor for the prisoner on the occasion of propounding these documents—I prepared the affidavit—I first received the scrips themselves on the 14th of June, from Mr. Williams, the

prisoner—I procured him to be sworn to the affidavit—I am not aware of any reason why that was not sworn till the 19th of July—it was not necessary to have him sworn before then—I kept the scrips in my possession—I produced them to nobody but my clerks to have them copied—they were annexed to the affidavit—they were re-delivered to me by the surrogate after Mr. William's had been sworn, and I returned them to my iron safe—they remained there, to my knowledge, till the 20th—they were not removed by my hand—my clerk ordinarily keeps the key of my iron safe—his name is Samuel Brooks—I did not see the scrips again till the 5th of September—I gave directions to my clerk respecting them on the 20th of July, that he should bring them in before the surrogate on the 22nd, that they should be exchanged on the other side—they are then delivered into the hand of the registrar from the surrogate.

Q. Then, according to the ordinary course of business, they would be handed to the surrogate? *A.* Yes, but I left town, and left directions that that should be done in my absence—I think it was Mr. Slade acted in my absence—it is necessary for the proctor to be before the surrogate with the scrips to be exchanged—I did not see them again till the 5th of September—I could not tell whether they were in the same state—I marked them.

Cross-examined by MR. ATTORNEY GENERAL. *Q.* Were you not retained by Mr. Williams to prove the will and codicils on the 14th of June? *A.* I was—they form the scrips 1, 2, 3, and 4—1 and 2 are the will and duplicate; and 3 and 4 are the two codicils—on that day all the scrips, from No. 1 to 11, were produced by Mr. Williams, including Nos. 7 and 9—I saw Ellen Evans and Ann Williams the same day, and examined them respecting the will and codicils—I reduced to writing what they told me—application was made to prove the will of Mr. Barton Panton on the 14th of June—that was the same day—the caveat was warned on that day—it is my duty to see the condition in which the scrips are—I examined these scrips—I did not observe any pencil marks on them, except the scrip No. 7, which is all in pencil—I did not observe any thing on these papers—some marks were pointed out to me on scrip No. 2, on the 19th of February, I think—I had not observed any of those marks before—the marks were such as attracted my eye, when pointed out to me—they were such as I think I should have seen without their being pointed out—there was one in particular which I think I must have noticed if it had been on the paper when it was in my possession—it was a line drawn straight down the paper

Q. According to the best of your recollection and belief, was that drawn straight down the paper when it was in your possession? *A.* I do not believe it was—I discovered no rubbing or discolouring on that scrip, No. 2—there was some rubbing on one of them—I forget the number, but I can describe the paper—it is a paper which purports to be a copy of the per instructions—there is some rubbing on that, and I do not think it could have passed though my hands in that state.

Q. Was there that rubbing there before it came back from Wales? I do not believe it was on the paper while it was in my possession—the duty of the proctor or his clerk who receives the scrips to copy the plain paper for the purpose of making another copy, to keep one, and deliver one to the adverse proctor—if there is any mark on the scrip so copied, it is usual to have a notarial copy, denoting the marks—it is duty of the proctor to have such a notarial copy made—my clerk,

Brooks, copied these scrips—I do not know when, except that it must have been between the 14th of June and the 19th of July—the commission for examining witnesses in Wales was issued on the 3rd of January I believe—Mr. French sued out the commission on the behalf of Mr. Barton Panton—I went down as proctor for Mr. Williams—Mr. Tyrer attended on behalf of Mr. Barton Panton—the proctor generally attends, but when he does not, he appoints a person, generally an attorney, or an attorney's clerk—Mr. Tyrer is Mr. Rumsey Williams's clerk—there was a mistake in the first commission, and another commission was issued—I remained in Wales till the 16th of January—the commission was not executed at that time—I returned, because the day for the return of the commission was the 17th—it expired on that day, and was renewed—I did not go down again—Mr. Williams acted for himself in my absence—Mr. Tyrer continued as long as I was there, to act for Mr. Barton Panton—I left Mr. Jennings there—according to the common course of proceeding, publication of the evidence taken under that commission, would have passed on the 17th of January, and under the extended commission publication would have passed on the 13th of February—publication has not yet passed, because in the first instance I asserted an allegation, and now it has been prevented because Mr. Panton's proctor has placed a petition against it—if this suit had gone on, in all probability judgment would have been given on this will in the course of next term—Mr. French is now acting as proctor for Mr. Barton Panton.

Sir William Follett. *Q.* It was first delayed in consequence of your opposing an allegation? *A.* Yes, that was on the 13th of February—I mean a plea responsive to what the witnesses had deposed—it was a plea of new facts—the witnesses were not examined on that allegation, it was not brought in—I was advised by counsel not to bring it in—I had prepared it, and laid it before counsel—I laid that allegation on the 13th of February, and I abandoned it I think on the 20th of March—I then stated in Court that I abandoned bringing in the allegation which I had intended to bring in—the Judge then decreed publication, but the adverse proctor prayed to be heard against its passing by act and petition—he has since delivered the act containing his reasons to me by order of the Court, and it remains for me to answer those reasons—the ground of them was shortly this: that pencil marks have been discovered on the scrips which had only come to Mr. Barton Panton's knowledge so recently that he had not an opportunity of pleading sooner—Mr. Williams employed me—I first saw him, I believe, on the 14th of June—I had received instructions to enter a caveat before that, from Mr. Bordilly, and I entered it—I received intimation that there was a will of Mr. Williams on the 14th of June—I had not communicated with him by letter before that—I had written to Mr. Bordilly, and his answer was that Mr. Williams would wait upon me, which he did on the 14th of June—I received these scrips on the 14th of June—they were not brought in till the 19th of July, because it was not thought advisable to bring these scrips into Court till the adverse proctor had brought his—I gave notice to the adverse proctor I should say certainly before the 20th of June—my notice was not in writing—it was understood between me and the adverse proctor that our scrips were to be brought in together—the 14th of June was the date of his warning of the caveat—the summons was to appear on the 17th, and support the caveat, and on the 17th I appeared, and set out the dates of the will and codicils—I received instructions to enter the caveat—I heard of no scrips till the 14th—I did then, and I in-

formed the adverse party of it—it would have been my duty, if I had discovered marks on the scrips, to have made a notarial copy, but I did not discover them—I have seen the marks since—I rather think Mr. Jennings pointed them out to me—he certainly was present when my attention was called to them—he pointed out that there were pencil marks—some I saw and some I did not—he said, "There is a letter—and there is a letter—and there is a line"—I saw lines, I did not see any letters, nor other marks but the double lines that day—I have since seen some other marks on the same paper—they were flourishes—they might be parts of letters, or parts of figures but I could not discover any marks so as to make out any letter or figure—I looked with a magnifier—Mr. Adlard described, in his examination at Guildhall, that he could make out certain words on some of the papers—I did not look at the places he pointed out at that time—I had not an opportunity—I can now see a double line down the paper—here it is, on the left-hand side—it appears to be one line—I could, if there were light enough, point out to the Jury where I discovered what I considered to be parts of letters or figures—it is on the same paper, a little to the left of that—it appears to be pencil marks—I could not say that they had been obliterated—I saw the black line of what appeared to me to be a common pencil mark—I have no doubt I could point it out—I tried to see lines the other way, and could not see them—no one traced the lines, or the figures or letters, I did it for my own satisfaction—I traced them with a glass—this is the only paper on which appeared to be pencil marks—I could not make any marks out on any of the others—the rubbing which I saw, had the appearance of dirt in the middle of the paper—if I had seen that when I first had it in my possession, it would have been my duty to have ascertained what it was, and whether it would have been proper to have a notarial copy of it—my opinion of it now is, that it has been rubbed in some way for the purpose of obliterating something—it would have been my duty to have called the attention of the registrar to it if I had observed it, but I did not—the mark of this line down is so plain that I think I must have seen it—I do not say that a casual observer would, but the papers having been before me several times I think I must have observed it—I do not mean to take my oath that the line was not there, or that the rubbing was not there—the papers have been very much torn since.

MRS. ANN PANTON. I am the wife of William Barton Panton, the prosecutor. I lived with old Mr. Panton at the time of his death—I remember on the 13th of May a note being brought to the old gentleman, by a person of the name of Hugh Thomas—I was in the room with him at the time Mr. Panton opened the letter—after the old gentleman had read it, he said he thought they might have waited a little longer, as the money had only become due the day before—it came out in conversation that the person who sent the note was Mrs. Thomas Williams—the old gentleman seemed a little annoyed—he desired me to go to Barton (my husband) for the key of his library, and when I got it I was to get the money for Mrs. Thomas Williams—I got the money—it was 75*l.*—on getting it I asked the old gentleman should I write a letter—he said no, there is no occasion—he desired me to fold it up, and direct it to Mrs. Thomas Williams—I folded it up in a blank envelope, and gave it to Hugh Thomas.

Q. Did this paper come in the letter? *A.* Yes, it did—on the 7th of May I was living at Plasgwyn—I was at home that day—it was very wet in the morning, and cleared up about eleven o'clock—I did not go out during

that day, as I had a very bad cold on my chest—the old gentleman did not go out that day at all—Mr. Thomas Williams did not call that day at all—the old gentleman lived on terms of the greatest affection with me and my husband—I had a daughter—the old gentleman was particularly fond of her—I attended to the old gentleman during his illness, up to the time of his death—I acted as his nurse.

Cross-examined by Mr. Attorney-General. *Q.* Do you recollect in what state of health your little girl was in the beginning of May? *A.* She was very ill on the 7th of May—Mr. Panton was pretty well on that day—he was complaining a little—he had got a little cold—that was all—he continued in the same state for a week after—on the 13th of May he was complaining rather, he had his cold still on him, but he felt more of it on the 13th—I recollect Chester races—they were the first week in May—the old gentleman was pretty well then—he had not taken his cold then—he was rather a hearty old gentleman—Jane Thomas was one of his servants at that time—I do not know whether she is in London—there was also Harriet Thomas, the cook, Grace Jones, the gardener, Owen Roberts, and Mary Williams—they were all in-door servants—my little girl being ill on the 7th of May, I was a good deal occupied with her—I was in the nursery, which is on the second story—Mr. Panton used generally to sit in the blue-parlour on the ground floor, and there he generally received visitors—those who called on him on business used to see him in the blue parlour—I am very well acquainted with his hand-writing—I should know it again.

Q. Just look at this letter, should you say you believed that to be his hand-writing or not? *A.* It is very similar to it, I think it is his hand-writing—I have no doubt about it—(*looking at scrip No.* 9)—I do not think this is so much like his writing as the other—I do not think this is his writing—I should think it is not—it is not like his hand-writing—in some places it is like his, in other places it is not—the "Th" in Thomas is not like his writing—I never saw this scrip before—no one ever said any thing to me about such a scrip of paper—the word "better" is not like his hand-writing—it looks to me to be an imitation of his hand-writing—it is not a very good imitation.

Q. What do you say to this writing in pencil, (*scrip No.* 7,) do you believe this is Mr. Panton's hand-writing? *A.* It is very like it—I should think it is his—I have no doubt about it—I was married in August, 1832—Mr. Barton Panton had been paying his addresses to me from the latter end of 1831, or the beginning of 1832—I did not know him a year before that—Mr. Rumsey Williams had six sons—I was his only daughter.

Mr. Phillips. *Q.* About the time of your marriage, in what state of health was your mother? *A.* She was an invalid—my husband did not go to the Chester races—Mr. Bettiss was at Plasgwyn at the time of the Chester races.

Court. *Q.* Were you up stairs on the 7th of May, on the Sunday? *A.* Now and then—I was in the blue parlour the greater part of the day—I did not see anybody come to the house that day—no one was in the house except our own family and Mr. Hugh Price, who came on the Saturday evening, and staid over Sunday—my husband did not go to church—he and I sat with the old gentleman—Plasgwyn is about fourteen miles from Brynbras Castle—the old gentleman was in the habit of going out in a pony-chaise—(*the receipt for* 75*l. was here read.*)

WILLIAM JONES. I am an attorney, and live near Carnarvon. I knew the deceased, but not very intimately—I saw him on the 12th of May—not on business—I went to Plasgwyn on my own private business to Mr. Barton Panton—I got there about one o'clock—I cannot tell exactly the time—I went in with Mr. Barton Panton, and in the parlour I found the deceased and Mr. Rumsey Williams—some time after I went, I observed on the table something wrapped up in brown paper—some time after I had got there, the old gentleman handed it to Mr. Barton Panton, and said, "Here, you take care of this; this is my last will and codicil, or codicils"—upon hearing that said, I left the room, finding they were busy together.

Cross-examined by MR. ATTORNEY-GENERAL. *Q.* Were you intimate with old Mr. Panton? *A.* No—I had known him upwards of twenty years—he appeared to be in tolerably good health for his years on the 12th of May—he appeared to have a cold—I was not in the room twenty minutes—Mr. Rumsey Williams and the two Mr. Pantons were in the room—I was in the room some minutes before this was done—I found Mr. Rumsey Williams there—all on a sudden the old gentleman took these papers off the table, and delivered them to his son—Mr. Barton Panton went, I believe, to the table, and then the old gentleman gave him these—I left the room out of delicacy, I thought it was no business of mine—when there was a dispute about another will, Mr. Rumsey Williams asked me if I recollected this—I was clerk to Mr. Rumsey Williams—I served my time to him—I did not continue in his office but a very few months afterwards—I practised for myself for twenty years.

(*Adjourned.*)

Tuesday, April 10, 1838.

The Queen against Thomas Williams.—(Continued.)

HUGH WILLIAM PRICE. I am Comptroller of the Customs at Beaumaris. I knew the deceased Mr. Panton about forty years—I am aware, from his own declarations, that his feelings toward Mr. Barton Panton were the most affectionate in every respect—I have heard him express a determination with respect to him, saying that he would provide for him handsomely—I have heard him frequently speak of his little grand-daughter, and his daughter-in-law, that he would provide for them both—he said he would provide handsomely for Mr. Barton Panton—I was at Plasgwyn on the 7th of May—I went there on Saturday evening, and remained there the next day, and slept there on Sunday night—on the Sunday morning it was rather fine, but towards the afternoon, about twelve o'clock, it turned rather hazy and dull—I saw the old gentleman that Sunday—I rather think he did not go out at all—I know Mr. Williams, the prisoner—he did not visit Plasgwyn that Sunday that I know of—I went and took a walk about the garden, and about the house—I might have been out of the old gentleman's sight probably half an hour, or an hour.

Cross-examined by MR. ATTORNEY-GENERAL. *Q.* This was the Sunday before Whitsunday? *A.* Yes—I walked out with Mr. Barton Panton that day—I did not go far from the house with him—we went into the garden, three or four hundred yards—I do not recollect going into the road, nor near any bridge—I have a very distinct recollection of my proceedings that day—we intended to go to Penrose that day, which is on the other side of Carnarvon—the weather altered between eleven and twelve o'clock, as near as I can recollect—it came on hazy, dirty weather; and there was a storm—it became hazy and dirty from eleven to twelve o'clock, and we gave up

going out—I know Pont Reig-bridge, between Carnarvon and Brynbras—I was not near that bridge on that Sunday—I think it is about eleven or twelve miles from Plasgwyn, if it is the bridge I mean—I had intended to have gone to Penross if the weather had been fine—they had written to me the preceding week.

MR. PHILLIPS. *Q.* Did you go to Penross? *A.* No—we did not go in any carriage that day—Mr. Barton Panton did not go into any carriage—when I was out walking about the garden, I frequently went alone, and sometimes with Mr. Barton Panton—he went with me to the dog-kennel, and then he went back to the house—whenever he went out with me he went back to the house.

COURT. *Q.* How far is the dog-kennel from the house? *A.* Close to it, about a stone's throw.

GRACE HUXLEY. I was nurse to Mr. Jones Panton. I remember Sunday, the 7th of May, the Sunday before Whitsunday last year—I did not go to church that day, because Miss Panton was ill—I was in the house all day—Mr. Jones Panton was in the parlour—he did not leave the house that day—he never went out on a Sunday—he did not go out of the house on that Sunday—I saw him many times that day, when I came down with the little girl—I first saw him between nine and ten o'clock in the morning—I then took the child down to the room he was in—she was ill and cross, and I went down with her to him every half hour—I stopped with him a *spell*—Mr. Panton breakfasted in the parlour—he lunched in the same parlour at one o'clock—he dined in the same parlour at five o'clock in the afternoon—he went to bed between nine and ten o'clock always—I remember seeing him go to bed that night at the usual time—I did not see any one come to visit Mr. Jones Panton during the whole of that day; but Mr. Price came on the Saturday night—I did not see the prisoner there that day—Mr. Jones Panton was exceedingly fond of the little child—Mr. Jones Panton was once out after that Sunday on the Friday, and he commenced being ill—that was the next Friday after the Sunday I have been speaking of—he went out about eleven o'clock always—he went out about eleven o'clock on the Friday—he returned about half-past twelve o'clock—he went out in the small carriage—I saw him return—he did not leave home after that Friday—the two men-servants attended on him during his last illness, and my master and mistress, Mr. Barton Panton and his wife—he preferred taking any thing from my master rather than any other person—he appeared to be on exceedingly affectionate terms with Mr. and Mrs. Panton down to the time of his death.

Cross-examined by MR. ATTORNEY-GENERAL. *Q.* Did you ever see Mr. Williams at Plasgwyn after the time you have been speaking of? *A.* Yes, he was there once—I will swear he was there only once—Mrs. Williams was there without him three times after the Sunday—I will swear Mr. Williams was not there on Whit-Monday—it was on Wednesday—Jane Thomas was not an attendant on the person of old Mr. Panton—she did attend on him, as she was the head house-maid—I did not look at a clock when I went down with the child every half-hour, because it was cross, but I went down every half-hour—I guessed what half an hour was.

BETTY HUMPHREYS. I was servant to old Mr. Panton. I left him on the 12th of May, last year—I remember the Sunday before I left—I went to chapel that day about two o'clock—I was at home up to that

hour—the old gentleman was not up to two o'clock—I came home about four o'clock, or a little after—I staid at home till six o'clock, and then went to chapel again—I returned about eight o'clock—during all the time I was in the house old Mr. Panton was at home—I did not see Mr. Thomas Williams that day at all—no one could have gone to the front door to get into the house without passing the dairy window, but they might from the Beaumaris gate—when I was in the house I was in the kitchen most frequently—for any thing that I have ever seen, old Mr. Panton was very fond of his son and daughter-in-law, and he was very fond of "little Missy."

Cross-examined by MR. JERVIS. *Q.* What situation were you in? *A.* Dairy-maid—old Mr. Panton sat in the blue parlour—I never went there to him—I cannot tell how often he spoke to me while I was in the service—he was very seldom in the habit of conversing with me—a person could come the Beaumaris waywith out passing the dairy—Brynbras is not on the Beaumaris side of Plasgwyn.

JOHN HUMPHREYS. I am husband of the last witness. I am groom to Mr. B. Panton—I was groom to Mr. Jones Panton till he died—I remember the Sunday before he was taken ill—my wife left on the 12th—the Sunday before she left I was at home at Plasgwyn—I was in the house and in the stable all day—when Mr. Jones Panton was well he was in the habit of going out in a pony-chair—I know Mr. Thomas Williams, of Brynbras—I did not see him at the house that Sunday—the stable is close by the house—the width of the road—I was in no other place that Sunday, except in the house, in the stable, or passing from one to the other—if any person had come, either on horseback, or in a chaise or other carriage, I must have seen them—there were two grooms—I was always at home—the other groom would look after the hunting horses—the other groom was at home that Sunday—his name is Hugh Thomas—I did not see any thing of Mr. Thomas Williams, the prisoner, on that Sunday.

COURT. *Q.* Do you know of any stranger's horse or gig being in the stable or coach-house that day? *A.* No, none.

Cross-examined by MR. ATTORNEY-GENERAL. *Q.* Are not the stables behind the house? *A.* Yes—I took care of the horses and the stables during part of the day—a person could not have entered on foot at the front door of the house without my seeing it on that Sunday, as I was in the stable.

Q. Do you mean to say you could command a view of the front door when you were dressing the horses in the stable? *A.* The door was to be seen from the stable-window, though the stable was behind the house—I was not looking out of the window all the time I was in the stable—I know a place called Rhulas—Mr. Gethin Williams, Mr. Thomas Williams's brother, lives there—it is about a quarter of a mile from Plasgwyn.

MR. CLARKSON. *Q.* Did you see any thing of Mr. Gethin Williams that Sunday? *A.* I did not.

HUGH THOMAS. I was groom to Mr. Barton Panton in May last. I was at home the whole day on Sunday, the 7th of May—Mr. Jones Panton did not leave Plasgwyn that day, to my knowledge—the prisoner did not come that day, that I saw—the prisoner could not have come to the house without my knowing it—I was from the stable to the house, and from the house to the stable—I was never off the premises—the stable is two or three rods from the house-door—I saw Mr. Jones Panton during his last illness—I was one of his attendants—I waited on him—I did not hear him

express any wish as to any person in particular attending on him—I did not hear him say any thing about Mr. Barton Panton or Mrs. Panton—they attended him during his illness—he appeared to be on terms of very great affection with them—there was no strange horse brought to the stable on Sunday, the 7th of May.

Cross-examined by Mr. Jervis. *Q.* Did you attend to the hunters? *A.* Yes; the hunters' stable was alongside the house—I could not quite see the front door from there—I did not see Mr. Williams there on Whit-Monday—I do not recollect seeing him there at all before Mr. Panton died—I saw Mrs. Williams there once before Mr. Panton died.

William Pritchard. I was servant to old Mr. Panton. I take care of Plasgwyn house at present—I recollect the Sunday before old Mr. Panton was taken ill—I was at Plasgwyn that day up to about half-past nine o'clock at night—I went home to dine about one o'clock, and returned in about an hour—during all the time I was at Plasgwyn, old Mr. Panton remained in the house—I did not see Mr. Thomas Williams there during any part of that day—it was too difficult for him to come to Plasgwyn on that Sunday without my seeing him—I was sometimes in the servants' hall, sometimes in the kitchen—I was attending old Mr. Panton during all his last illness, along with the others—I offered him medicine many times—Mr. Barton Panton and my mistress generally used to give him the medicine—I remember old Mr. Panton being taken ill about two years before his last illness—I remember one particular occasion, when I was helping the old gentleman to dress—I remember he said, "D—— that *Tom* Williams and his wife, they always bother me when I am poorly"—some one had come up to say that they had come there.

Cross-examined by Mr. Attorney General. *Q.* Did you ever see Mr. and Mrs. Williams at Plasgwyn? *A.* Yes; I cannot say any thing to the contrary, but that the old gentleman behaved very affectionately to his daughter, Mrs. Williams—he appeared to me as he ought to look—I was at home all day on Whit-Monday—I do not recollect seeing Mr. Thomas Williams at Plasgwyn that day—if he had been there I think I should have seen him—I think he was there on the Tuesday or Wednesday, but not on the Monday, as far as I can recollect—it was either Monday or Tuesday.

Ann Parry. I lived with old Mr. Panton at Plasgwyn. I was there at the time of his illness—I remember Sunday, the 7th of May, before he was taken ill—I did not see Mr. Thomas Williams at Plasgwyn on that day—when he used to come, he frequently knocked at the kitchen window, and I opened the door.

Cross-examined by Mr. Jervis. *Q.* Did he come frequently? *A.* Yes, occasionally, I cannot tell how often—I did not see him on Whit-Monday, but I heard the people in the house say that he was there—I was kitchen-maid—it was not my business to go into the blue parlour much—that was the room the old gentleman generally sat in when he came down from his bed-room—I am now living at Bangor.

William Williams. I was in the service of Mr. Jones Panton, at Plasgwyn, as keeper. I was at home all day on Sunday, the 7th of May, till about six o'clock—I do not know that I saw the prisoner there at all that day—I was about the house, here and there—not sitting in the same place.

William Frederick Gosling. I am one of the deputy registrars at Doctors' Commons. It is my duty to receive scrips brought to Court

from the proctors that bring them in—it appears from the minute, that I received the scrips of this will from Mr. Slade, who acted for Mr. Wadeson, on Saturday, the 27th of July last—I handed them over to the officer of the Court, Mr. Beams or Mr. Todd—they were in my custody till I entered the minute, and I handed them over in the same state.

Cross-examined by MR. ATTORNEY-GENERAL. *Q.* Did you look at these scrips? *A.* When scrips are brought in we generally look at them—it is my duty to look at them, and see whether there are pencil marks on them—if there are, I require a notarial copy to be made of them—I do not receive them till I have had that notarial copy—I think there was one of these scrips which was in pencil, and of that I had a notarial copy—I certainly did not observe any pencil marks on those scrips, which were in writing—if there had been writing in pencil, I certainly should have required that notarial copy—if there had been a line, as has been represented, I might not have observed it.

Q Now just look at this scrip, No. 2, do you observe some pencil marks? *A.* I do observe something very slight—it might have escaped my notice when it was brought in, and it certainly did escape my notice, if it was there then—I do not think they are such marks as would have required a notarial copy to be made—I might have asked what they were.

SIR WILLIAM FOLLETT. *Q.* If there had been writing you would have required a copy, but you do not look for pencil lines? *A.* No—the writing might be part of the will—on this occasion I observed nothing to call for a notarial copy.

SAMUEL BROOKS. I am clerk to Mr. Wadeson the proctor. I first received these scrips some time in June last, from Mr. Wadeson—I gave them to anybody about the office, for the purpose of being copied—they were returned to Mr. Wadeson—during the time they remained in my possession I did nothing to them—they remained in the same state, as far as I know.

Cross-examined by MR. JERVIS. *Q.* Did you copy them yourself? *A.* I made one copy of them—I think Richard Crutchers copied them also, or made parts of them—that was not in my presence—in copying them I had occasion to look at them, and examine them—I have been in a proctor's office between thirteen and fourteen years.

Q. Look at No. 2, do you observe any marks on it? *A.* Yes, I do—I should say they were the blacklead of pencil marks—I cannot say that I observed them while I was copying this document—I should say I certainly did not—I should say by the appearance of it, it is the black of a blacklead pencil.

Q. Look at this on No. 8, do you observe black marks or dirt on that? *A.* A very little, on the left-hand side, and in the centre—I cannot say that that attracted my attention while I was copying it.

SIR WILLIAM FOLLETT. *Q.* Look at No. 2 again, you state you see marks on that, where do you see them? *A.* On the right-hand—I should say it is pencil writing of some description—I should be inclined to say it is the impression made by a pencil—I think the lead appears to be rubbed off in some parts—here is "1" and "2" I can decipher—I can make out only parts of letters—I cannot make out a perfect letter—there appears to be parts of letters here—I can see no traces of letters—here are pencil marks, which have more the appearance of the lead—I cannot make out the letters, I can merely see the lines—I can see a double line drawn across one under the letters, and one through the letters—I observe a line in the centre of the paper

—there are parts of lines on each side, not perfect lines—part of these lines appear to me to be traces of the pencil on the paper—I have inspected these papers before, since I heard that there were marks on them, but not minutely—I have not done it with a glass at any time—what I now see, I see with the naked eye—when I copied these papers it was in the evening—I did not observe any thing on them then—I cannot say whether I copied the whole by candle light—I made no inspection to see whether there were traces on them—I have examined the other papers—I have observed certain marks on the others—part of them appear to me to be traces of pencil writing—I think I discovered that on three of the other papers—I do not remember which three it was—on these three there appeared to be the traces left by pencil writing—I observe on No. 1 a double line on the right-hand side—I do not observe any other double lines drawn on the paper—here are parts of letters—I cannot distinguish what—I cannot distinguish any parts of figures—I cannot make out a syllable, nor even a letter, but they appear to be parts of letters.

Q. Now take No. 3 in your hand, that is a codicil, is it not? *A.* Yes, the first codicil of October, 1836—I do not observe any tracing on this—on the top of the paper, immediately on the right, there is a slight scratch of a pencil, or something of that sort—I certainly cannot trace the letters—I cannot undertake to say that they appear to be parts of letters—there is only the straight stroke here—I cannot say whether it is part of a line or not—in the corner, just above the ink writing, I see traces of letters—here is part of a "T," and the loop of an "h," or an "l"—here is also a straight stroke—this is certainly the first time that I ever inspected this part so minutely.

Q. Take No. 5 in your hand, which contains, I believe, instructions—the one written, "I approve of this," at the bottom of it, do you see traces all over that paper? *A.* I can see lines, and here is part of a letter on the left-hand side—I do not see a word that I can read—I can make out part of a capital "B"—part of the top and bottom are here—I cannot make out what the small letter is, which is next to it—there are traces of other letters—on the right-hand side there is a small portion of some letters—I should think it was the traces of pencil writing—I never examined these with a glass at all—I never observed so much of the tracing on this writing before.

Henry Adlard *re-examined.* I have been accustomed to look at minute lines on paper—I am an engraver, and have been accustomed to practise my eyes this way—I have examined these scrips twice—I was examined before the Magistrate—I examined, I think, eleven scrips—on this, No. 1, I can see pencilling with my naked eye—I can see some lead on the paper, and other ridges, where the writing has been—(*examining with his glass*)—it is the remains of a ground-plan, with the names of streets—on the top I can see plainly "M a p" in large-text hand—it is a capital M, the down-strokes are formed openly—I can see, further, "Bishopgate-street," and parallel with that is "Cursitor-street," in full length—here is a double-ruled, horizontal line, and vertical lines from that, ruled downwards—in turning the paper I see "Cursitor" again, in a smaller hand, and in a line with Cursitor, I see "C," and a "t" or "l," and under that line there is part of an "s," and then a double line—under that line I see a "1" and a "2" together, and under these a long line; and to the right-hand, nearer the bottom of the paper, I can see another "2" or a "3," and below that I see part of a "2," and a double stroke like a 1—a long word on the left-half of the paper,

commencing with a "C," an "*u*," or a "*aread*," and "I;" and at a distance, in a line, is the word "Court," that will make "Cavendi Court"—under that there is a double line, and under it part of the letters "*ground*," and there are marks on the same line—there is then an "O," or part of an "*e*," and there is a pencil-mark above the line—under the word "ground" I see "Devonshire," as I should read it—then a capital "S" and "treet"—there are large figures under that—I can see "2, 3," part of a "4," a "6, 7, 8," and part of a "9"—there is a tail and an oval—(*looking at No.* 2)—I can see this more plainly than the last document—here is the word "Map" at the top, and it is divided by lines—under the word "Map" I read the word "Bishopgate" and "street"—in the same line is "Cursitor-street," and there are double lines under that—in the vertical lines I see here is "Cursitor," and "street" underneath, and "12" and "13"—in a line with "Cursitor-street" I see a capital "C," and "stle," and a word following that that I cannot decipher—I can see part of an "E" or an "O," and "vacant ground"—under that I can see "Court," and a long line before it—before "Court" I can read a "C," a "*u*," or an "*a v a d*" in a line with the word "Court," and a double line under that, and under the double line I see "ground"—a double line, then I read "*Devons*," and then I lose a word—in the same line "ST," and part of two "O's," and a "t"—part of "2 3 4 5 6 7 8" and "9" are very plain—(*examining No.* 3)—I see no mapping or plan on this, but I see writing under the ink-lines in pencil rubbed out—I can see an "E," and it looks to me like a capital "A" at the commencement, but I could not connect the sense of this paper without making notes at different times—I can see the letters decidedly, "T h" and "is"—I can see in the top line under the ink of the word "last"—above the ink lines I see two lines rubbed out—at the corner of the right hand just before the writing begins, I can see there are letters, but I cannot read them—I can see there has been a line of writing and pencil rubbed out—I see other marks down nearly to the bottom—I can see "dated," I think, near the centre, and the line is continued from it, but the ink is so over it I cannot see it—the pencil is continued to the end of the line "daughter," and "*e i g h t*,"—here is an oval part of a letter—here is "one" before the word "youngest," I think—here is "*h u n*," I think, and then beyond it is rubbed with grease or with the finger—at the end there is pencilling under the word "and," but I cannot make out what it is—at the top, over the writing, is a stroke of a capital "I" or "H," under the "A" in the next following line—I see there are marks in several places under the writing on No. 4, (*looking at it*,) but I cannot decipher them—under the words, "eighteen hundred," in the 7th line, there are some pencil marks very plain—I can see a capital "D" and part of a long or capital letter—two curvatures on the right, and one on the left, that is the commencement of the line, and there has been writing to the end of the line—after the curvatures here looks like a capital "N" and an "o" at the top, like No. for number—between the "No." and the capital "D" there is a pencil-mark—I can see a pencil mark over the "H," and there is writing to the end of the line, but I cannot read it—I can see the turnings of the bottoms of the letters plainly—under the words "upper housemaid," in the tenth line, there is writing—the bottom of the word falls down under the "A T D," but I cannot read it—I made out letters when I looked at this before, but I cannot see them now—over the word "Plasgwyn" and between that and the word "and," I observe pencil writing rubbed out—I cannot make out any letters—under the word "cur-

there are two down-strokes of letters, but I cannot tell what they are—lower down there is a capital "I" over the "h," in the word "his," in the third line—in the next line I can see "of," and after that, there is what looks like "n d"—I do not read any more letters—by reversing the paper, I see there are pencil-marks, which run down the page—there is pencil-writing in the next line to the "n d," but the ink-writing is so completely over the pencil that I cannot read it—I make out "t h e" under the word "My," and there is a pencil-mark over the capital "P"—under the words "whoever has," in the same line, there is "writing," written more apart—there is pencil-writing below the "t h e"—the writing rises below the "A n g l"—I cannot make it out—under the line, "the Anglesey property must take the name of," I read, "a l e;" and under "Anglesey" there is a long stroke by the side of the "l," coming considerably below it—there is then a curve, that I should take for an "e"—I cannot make out what there is at the beginning of that word just before the "a," after the "l e"—there is writing all along that line, very much rubbed—at the end I see a "g," apparently under the "e," in the word "name"—I cannot make out any of the rest of the word to which "g" belongs—in the next line there is "v" or "s"—lower down, under the words "all the rents," I should read "c o," by the last "l" in "all"—there is writing under "rents"—there are pencil-marks—I read it "a n," and a long line goes down to the name "Lauretta Williams"—it is considerably rubbed, and there is a scratching out over the word "Williams"—there is writing in pencil over the word "law," and it runs into the word "Thomas"—it is very much rubbed—under the words "my will," I can see "a n" under the "my," and "d" by the "w," and "Thirty;" and I can see an "x" very plain, and two letters before it—I see "s," I suppose for one letter—under the words "to draw," I can see marks with a pencil—they are very much rubbed—I cannot read it—I can see pencil-marks—I should say these pencil-marks have been put there before the writing, certainly—the writing appears to have been upon the pencil-marks.

Cross-examined by MR. ATTORNEY GENERAL. *Q.* Be good enough to look at the letter "x" that you pointed out, is there writing on that? *A.* It just cuts the top of the pencil mark—the "x" is partly below the line of the writing—the top of the "x" touches the bottom of the writing in ink—all the rest of the "x" is below the line—the "x" is plain, with the lead marks plain upon it.

SIR W. FOLLETT. *Q.* Is the other part below the line? *A.* Part of the "thirty" is below—the "a n" is on the line—the mark that I take for "s" is not below it—part of the "x" touches the bottom of the "h"—I observe the same sort of tracings of pencil marks on "No. 10", I do some double lines—I observe some writing—some pencil marks, but I cannot discern what—I see an "h" or a "k", and there is a long curve joining the "k" but I cannot make out the letters—next to that there is an oval or part of a curve—above the "c" and the "t" in the word "instruction," there are two double lines ruled that run down—under the "29th of June" I see some marks—I cannot tell what—(*looking at No. 11*)—this has mapping on it, with streets, and divided similar to some former papers—I can see a capital letter, which looks like a "B" or an "R" and there is a capital "M A" about the top of the left-hand side of the paper—I cannot state what—I can see "E s q." at the extremity of the line—it is a capital "E," and the "s and q" are small, and immediately

before that, there is a letter with a long down-stroke—I cannot trace all the word—there is a "c" or an "o" between the "t" in "testament," and the "o" in "of"—I can make out "u r"—I cannot make out what is next to the "r," but it is connected up to the last letter—I cannot make out the last letter—I can only see a long down-stroke, which rises above the line—here is a word connected, joining after a "b," to the end of the line—the first stroke of the next letter has a tail to it turning up, unless it is an "h"—I cannot tell what it is—I can make an "H" of it, between the capital "B" and the "u r"—the "u r" joins to it—below that I see a capital "c," and next to that appears a large word with open lines or down-strokes—I can see a "u," a capital "C," two down-strokes, and the next letter has a curve, and then there is a long line, and a double line under the "d" in "thousand" and "street," I make out next—in turning the paper the other way, I see a double line down it as low as the bottom line but two—I can make out the word "Cursitor," and in a line following on is another word—here is a part of an "S" a "t e" and "e" and "t" —under "Cursitor" there is a double line, and then "No. 12 and 13," and under the "12" I can trace two double lines, but I can see no writing.

Court. *Q.* Do you see any writing across the words "intention," and "property," and "shall," and "confirm?" *A.* I can merely see some marks, but I cannot read the writing.

Sir W. Follett. *Q.* You said you saw the letters "e e t;" is there any word over that in a line with "Cursitor?" *A.* I do not see any—under the "e e t" I see a "2" and a "1"; and I see after that another "2," and what appears to me a 3, or a 5, after it.

William Wood. I am an engraver. I have examined all these documents, and discover marks of pencil-writing upon them—in the left-hand corner of this (No. 11) I can make out a portion of a double line and a "p"—here is "B B H" and "Esq^e" at the end—I could make out what followed the H when I examined it before, but I cannot make it out distinctly now—I recollect then I made out "B. B. Hurlock, Esq^e"—under that I can read the words "Castle-street."

Q. Now turn the paper the other way, and read the words across? *A.* I can see a "C" and a "u," but I cannot read what follows—I can see the remains of pencilling—I have examined all these other documents, and saw traces of pencil on them—I should think they had been put on before—the ink appears to be written on it.

Q. Just take No. 1 into your hand; have you looked at that before? *A.* Yes, I can see now what was upon it in pencil—here is "M a p" on the top of it—it is a plan with writing—I could read the names and words when I looked at it before—they were the names of streets—these marks are upon the whole of the paper, down to where the signature is; and on the left hand they come down below the signature, or at least to it—I can now make out the names of "Bishopgate-street," "Cursitor-street," and "Devonshire-street"—there are some figures—some of them are very indistinct, but I can see "2, 6, 7, 8," and "9," under "Devonshire-street"—I can see the remains of writing above "Devonshire-street," but I cannot read it—(*looking at* No. 2)—I see the same letters on the top, "M a p" —I can see on this "Bishopgate" and "Cursitor-street," and there are lines drawn down it—they are above the signature—I can perceive a double line at some distance above the signature "Jones Panton," and the remains of a double line just above "E. Evans"—here is a vertical

line going down the paper, it does not come down quite so far as the double line in one case, but in the middle of the paper it comes down to that line, and seems to join it—there are other lines drawn across the paper, and at right angles—if I turn the paper up, I can read the word "Devonshire," and there are numbers under it, and above it there is "Ground," and what appears to have been "Vacant," but the letters are very indistinct—the word "Court" I can read—I can see there are letters before the word "Court," but I cannot distinguish them—above that I can see what appears to me to be "13," and "12" above that—here is more writing between "12" and "13" and "Court"—here is what appears to be a "v a n d"—I think I can distinguish a G, an r, part of an o, and a d; and a letter has been between them, which I cannot make out—above that there is a "u," an "r," part of an "S," an "i," and a portion of a "t," I think, very much rubbed—in following that line on, I think I can make out the word "Street."

Q. Take No. 3; look at the right-hand side of that, and tell me whether you can trace any traces of pencil? *A.* I can see a small "e" in the top on the left-hand side, and a large "A," I think—that is above the writing, on the left-hand side of the right-hand page, the letters are so much rubbed that I cannot distinguish them, but I can see writing over the writing all the way down—I can see there are more letters of the word at the top, but I cannot see what they are—I do not see any thing immediately under the letters "a" and "e," but I can see, on the right-hand side, "t h e" and a "c"—under the large "A" and little "e" I can see indications of letters, but I cannot undertake to say what they are—I see no marks on the other side—(*looking at No.* 4)—this appears to me to have the same pencil writing rubbed out, but I cannot say that I can make any word distinctly out—(*looking at No.* 5)—I see the traces of pencil writing on this—at the left-hand corner I can see "J. Panton" and "Esqr.," and on the same line "M a p"—in going on to the right-hand I see "B B" and "Hurlock," I think it is, and "Esq."—under that, at the left-hand corner, I can read the word "Bishopgate" and "S t," and, on the right-hand, "Cursitor-street"—there is a line across the paper under "Bishopgate" and "Cursitor-street," and lines running from that at right angles—they are double lines—they go down as low as the writing which is above the words "I approve of this"—there is a double line across "I approve of this," and the other lines run down to it—the lines on the left come down farther than those on the right—the "9" is parallel with "I approve of this"—I have looked at No. 6—I cannot distinguish any lines across this—(*examining No.* 8)—I cannot see any letters above the word "instructions" distinctly—there are traces of letters on the paper—in the body of the paper I can see "of," on the right hand side, and what I should think to be the word "London"—the paper is covered with pencil marks, and very much rubbed—there is writing under the words "Anglesey property," in ink, but I cannot distinguish the letters sufficiently to see what they are—under the words "All the rents of the Flintshire property," in ink, there is an "o," I think I can see, just by the last "l," and there appears to be a "C" under the "l," before the "o"—I cannot distinguish what follows that—there seems to be the remains of an "n" and a "t" under the words "My will for which"—I can distinctly see "i r t y"—the letters before the "i" are so much obliterated that I would not say that I can distinctly tell what they are—I see what one should say was a "d" under the "W" of "Will," and

there is a small "x" under the "h" in "which"—I cannot distinguish any other letters in the word to which "x" belongs—I could see them more distinctly before, and read them better.

COURT. *Q.* Could you make out more of them before? *A.* Yes—I thought I saw an "s" and an "i," but they were very indistinct.

SIR WILLIAM FOLLETT. *Q.* Were they distinct enough for you to distinguish the letters? *A.* I would not speak positively—I would speak positively to the "x"—there are pencil marks above the writing on No. 10, but I cannot distinguish them.

Cross-examined by MR. ATTORNEY-GENERAL. *Q.* Just take No. 8 in your hands, look at the "x" that you mentioned, that is now very plain, and an under letter, do not the marks of the lead pencil remain upon it? *A.* Yes—the whole "x" is entire—the top of it is just covered by the letter "h"—the lower part of the "h" touches the top of the letter "x."

SIR WILLIAM FOLLETT. *Q.* Is the whole of the letter "x" visible? *A.* The upper line of the "x" is partly covered by the "h."

R. W. JENNINGS *re-examined.* *Q.* You stated you discovered certain pencil marks on the papers, which you communicated to Mr. Tyrer, he examined them, and saw the marks; did you see them by yourself afterwards? *A.* I examined them by myself afterwards—I have examined them minutely since with glasses reflecting the light, but not with magnifying glasses—I was able to discover pencil marks on Nos. 1, 2, 3, 4, 5, 6, 8, 10, and 11, but not writing on all of them—on No. 6 I now see a double line of pencil drawn above the name—it is not clear from one extremity of the paper to the other, but it is evident in parts—(*examining* No. 2)—I have seen these marks several times—I can see on this, in pencil the word "Map" at the top—and "Bishopgate-street"—I can see the words "Cursitor-street"—and placing the paper the other way, I again see the words "Cursitor" and "street"—I see the figures "12" and "13"—and I see the words, "vacant ground" under the "12" and "13"—there are names of other streets on it—the word "Devonshire" is very plain, and part of the word "street"—there are several lines upon the paper—there are lines drawn immediately over the name "Evans," and a line comes all the way through to the bottom of the paper—there are no lines down to the signature—there is a line goes across which stops the lines drawn down—(*examining No.* 3)—this has pencil marks on one side only, where the name is made, that is the right-hand side—I see none on the left, and never have—there is pencil writing on this No. 4 also, all over it—(*examining No.* 5)—there are pencil-marks over this, similar in many respects to Nos. 1 and 2, differing only that in the corner, at the left-hand side, is the name "J. Panton," and part of the abbreviated word "Esq.," on the right, are two capital B's, and a name follows that I cannot distinctly make out now, and the word "Esq."—I made out the word "Hurlock" here before, and I can now see the o, c, and k—here are two lines drawn over the name, across the paper, above the words "I approve of this"—under the words "dated 31," the lines are very evident, and they pass under the words "may for my," and there are lines coming down to these lines again—there is a figure 9 just below the word "signature"—the pencil line and writing comes lower down on the left-hand side than on the right considerably—there is a line above the 9, dividing that from another figure, and so it is all along, and each figure in a compartment by itself—(*examining* No. 8)—there is pencil writing on this all the way down to the line "my will for which"—

immediately under that is "and"—the up-stroke of the d being in the w of the word "will," and "Thirty," the last stroke of the "y" being in the word "which," and part of the letter "I" preceding it—there is writing all over this paper, a great part of which I can make out—at the very top I can make out the letter "A," a capital letter, and the letter "g"—I see pencil-writing through the word "Instructions," but I cannot make out the letters, and the word "his" in the fourth line—I can see an "i" just before the letter "h"—I can likewise see pencil-mark writing through the word, but I cannot make out that distinctly—I can make out the word "Covenants" under "all the rents"—and the words at the "n t," and the word "Hannam," which is through the words "Whoever has"—I can see the word "Payable" under the words, "the Anglesey"—I can see the word "signing" under the words "the name," at the end of that line, and I can distinctly read the word "this" between the lines of "Panton and Panton" —I can see "f r o," following the word "Payable," but I cannot make any more of that line out—I can make out, above the words "In law"— "Thomas"—I can see a "t," then there is something, and then "u s a," and I can see the marks of pencil continuing that line, but I cannot make out distinctly what they are—under the words "of Panton," I can make out the word "this"—(*examining No.* 10)—I can see the letters "c" and "h," the "h" is in the third line, it comes from below the words, "that woman" —I did observe two figures on this part of the paper, and I can now see one of them, here is the figure "4"—I can see a double line drawn across the paper, which passes through the "t," in "nothing," it goes down the paper—I can likewise see writing at the upper part of the paper, just by the word "June"—These documents were returned by me to the registrar, precisely in the same state as I received them.

Cross-examined by MR. JERVIS. *Q.* How many years have you been in the office? *A.* Ten years—I attended two commissions—they were not both the prosecutor's—I got down on the morning of the 5th of January—I went to the Goat Inn, at Carnarvon, and proceeded to open the commission the same morning—there was a mistake subsequently discovered in the commission—I did not come back, but I went away from Carnarvon altogether, in consequence of being informed there was a strong jealousy in the family—I went to Chester, and went by the rail-road to Liverpool, Manchester, and some other places—I took all my papers with me, and returned on the Wednesday, and the same day we opened the new commission—when I opened the commission I kept my papers in my bedroom, locked up in a cupboard, the key of which I kept in my pocket, and the key of my portfolio also—I left the Goat in order to open the commission, and I am not aware that I left it at any other time with the papers in the house—I might have left it for five or ten minutes—I did not go out to dinner the whole time I was there—part of the time there was no key to the door, and I had the door sealed—I never left the Goat without having the papers locked up, or a paper on the door sealed with my own seal.

Q. Was it less trouble to get the key than to get a candle, and seal the door? *A.* I had candles burning in the room, and when I went out I took one candle with me, and put a seal across the door, till the lock was mended —it was two days before the lock was mended, but I did not leave the Goat —I believe I was on the same floor—I sealed the door because it would have flown open—I do not know that I always sealed it with paper—I might once, but I sent for some tape to do it with—I only went to my dinner

in the next room but one, and when I returned I found the seals all right —I broke them, and went in—I locked the papers in my bed-room sometimes—that door did not require sealing, because there was a lock to the door, and to the cupboard—Mr. Tyrer looked at these papers very casually, and said, "I see marks on these papers"—that was subsequently to the 16th of January, I think it was after the closing of Wadeson's commission.

Q. You had your door mended before that? *A*. No, I moved from one room to another, and that had a very good lock—I had made the discovery before I moved—I had got a key to the door before I made the discovery, because that room never was without a key—I required the key to be given to me.

Q. How long had you been there before it was necessary to seal your door? *A*. After the extension of the time, after the commission recommenced—after the term probatory expired, I came to town, and brought my papers sealed up with me—I finally brought up the scrips in the beginning of February, the 3rd or 4th—they were not lodged in the Court till the 13th, but they were sealed up in my iron safe till that time—I never produced them in Court—I made a fac-simile of them in Wales, after I discovered the marks on them—I made it all on tracing-paper—the part that was in ink, and drew the pencil marks distinctly from it—that was after I made the discovery, and during the time the commission was there—Mr. Tyrer obtained the tracing paper at my request—no one helped me to make them, but they were examined after they were made—no person assisted me in making the copies—I am not certain whether or not Mr. Tyrer was present at any part of the time; in fact, I think he was present at part of the time—I think it probable he was present during the time I was copying the pencil marks, because I did them by day-light—he examined the copies—I considered it my duty to make these copies—I did not put down all, as there is on one of these scrips "n c e," which I did not see at first, and did not put that down—I put down every thing else, I think, as far as I can call to memory—I put them also in the same position as nearly as I could, because I put them in governed by the mode I have named—there may be a little variation in some of them, but, generally speaking, they are correct—I did them in that way—I came to town on the 4th or 5th of February—no one came with me—I brought the facsimiles I made to London—they were delivered up afterwards by direction of counsel at Guildhall, to Mr. Bodkin—I gave them to him by his direction, he stating that it was my duty to do so—I made them for the Court originally, that it might be seen what discoveries I had made on the papers—when I came to town I showed them to various persons, officers of the Court—I attended at Guildhall with them—I went down to Carnarvon again—the commission was over then—my own feeling took me down —I did not go with the officers—they went one or two days before me—I had made the discovery, and was very anxious about it—I do not recollect the day I went—I did not go with the officers to Brynbras—I came up with one of the officers and Ellen Evans, in a post-chaise, having taken a place outside the mail, but it was so cold we could not go by it—Mr. Tyrer might have been in another post-chaise with Ann Williams, but I am not aware of it—I never saw him coming up, or in a chaise—I did not see him on my way up—I saw him at Carnarvon, at the Goat hotel—I saw Mr. Rumsey Williams at his own house, at Penross—I did not sleep there—I dined there—Mr. Barton Panton was not there—we most probably talked

on this matter—it was not the general topic of conversation—Mr. Williams was there, and Mr. Jones of Llanbrin came in the evening, whom I knew as having examined him as a witness on the commission—he did not come till half-an-hour before I left—I examined him on the allegation given in on behalf of Mr. Barton Panton.

Q. Did you not put many questions to Ellen Evans as you came up with her? *A.* Various questions—she was in custody of Dodd, the officer, at that time—I did not tell her she was in custody for forgery—I gave her a sovereign, upon her stating that she had but 1*s.* 6*d.* in her pocket, and that was not her own, and she did not know what she should do—that was at the inn, at Oswestry—I did not see Mr. Tyrer, nor Ann Williams, in coming up—I went down with Mr. Rumsey Williams—I gave no directions to Dodd about Ellen Evans's box—it was not at my instance that the prisoner's papers were seized—the prisoners were all apprehended before I got there.

Q. You say you made fac-similes, did any body else do so? *A.* No—no person whatever had a copy of these fac-similes—before I gave them to Mr. Bodkin, Ruthven, the officer, had possession of two of them for two or three days—as I was going down from London to Bangor I saw Mr. Tyrer and Ann Williams at Tyn-y-Maes—no one was with me then—Mr. Rumsey Williams travelled with me, but he went on by the mail—I stopped because Ann Williams was there—it is a small public-house, the only place there is there—I went into the house, and remained three-quarters of an hour—I did not see Ellen Evans—I saw Ann Williams, and asked her some questions, and I believe Mr. Tyrer did, and then I went on to Bangor, in a closed car—I slept at Bangor that night, and then went on to Carnarvon—I paid my own expenses—I do not know that anybody asked me to go—Mr. Rumsey Williams did not ask me—I went down, both from curiosity and the love of justice—I drew a statement which the Court directed me to give in, in consequence of the state of the papers coming to their knowledge—I drew the statement by the judge's direction—I drew the petition at the request of Mr. French, because I was in possession of the papers—it was for permission to plead—the papers are not before the Court, and it was necessary to state them—it was merely a formal petition to the Court for permission to give in a fresh allegation—the publication cannot pass if a plea is permitted to be given in, but the publication was stopped before I gave that in—I drew it a fortnight or three weeks ago, immediately after Mr. Wadeson withdrew his allegation.

SIR W. FOLLETT. *Q.* Let us understand about these papers, they were in your bed-room in a portfolio locked, and in your cupboard? *A.* Yes, I was also in the habit of using them in my sitting-room on the subject of the commission—when I had them in my sitting-room and went out, while there was a key I invariably locked the door, and I put paper and seals when there was not, so that I am quite able to say that no person could have had access to these papers except in my presence—I removed from one room to another—the first I was in, had a lock and key, and I had no occasion to do otherwise than to lock it—then I removed to another that was more desirable in other respects, and that had not a key for two days—I made a copy of these papers to prepare a notarial copy if required—I am a notary—I made a copy of them—but I could not make a notarial copy, because two notaries must be present to do that—I attended the examination at Guildhall once—this is a copy that was annexed to the deposition, (*looking at it,*) but it is not in the same state, the letters have been all marked over.

I should apprehend in taking copies—these are the same papers that were annexed to the depositions—I do not know from whom the copies were taken —it was done at Messrs. Harmer and Flower's—I went down to Wales after the warrant was issued—at the time I made copies of these traces, I had no knowledge of the property of Mr. Panton—I am not quite sure whether in the cross-examination of Mr. Bettiss there was any mention made of any property in London—I had never heard of the name of Mr. Hurlock —I do not know whether the name was not connected with the deposition of Mr. Bettiss—before this proceeding I had never heard of the family of Mr. Panton—I never heard of the name till three or four days before I went down on the commission—the name of the case was then mentioned to me—that was all I knew of it—I put some questions to Ellen Evans —Dodd the officer was present—it was in going down that I saw Mr. Tyrer —I do not recollect that I saw him in coming up—I believe not.

William Kenney Tyrer. I am managing clerk to Mr. Rumsey Williams. I was appointed substitute in the Prerogative Court, in the case of Panton against Williams—during the examination of witnesses on that commission, I asked Mr. Jennings permission to inspect the papers, and I did so —the first time I discovered several pencil-marks on the papers, Nos. 2, 3, 4, 5, 8, and 9, which I could not make out—I wrote a note to Mr. Rumsey Williams on that subject—in the course of the inspection of these papers to trace out "Bishopgate-street," "Cursitor-street," and a variety of other words —I discovered lines drawn across the papers, and the words, "vacant ground," "ground lot," "Castle-street," "Norwich-court;" and on one or two there is "Jones Panton, Esq." and "B. B. Hurlock, Esq.," and on the top of two of them "map"—some had been obliterated—I was present at the arrest of Mr. Williams—he was taken by Forrester, the officer, and Mr. Ruthven accompanied him to London.

Cross-examined by Mr. Attorney-General. *Q.* How long have you been clerk to Mr. Rumsey Williams? *A.* Since the 14th of October last —I had been in other service before—I had never acted in a commission of the Ecclesiastical Court before—I had my instructions from Mr. French— I cannot fix the day on which I first saw these scrips—it was after Mr. Williams's witnesses had been examined—the first time I saw them I observed marks on them, and I asked Mr. Jennings if I might inspect them, as part of our case was to prove that one of the attesting witnesses could not write, and I wished to look at the signature—it was merely out of curiosity— Mr. Priest, of the Bank, at Carnarvon, and Mr. Owen Owen, had seen the scrips—when I saw them I immediately saw some marks— Mr. Jennings was lodging at the Goat—I was there every day, and I saw his room sealed up every day during his dinner-time—not more than two days—the papers were only sealed up in one room—that was after the time for the examination had been extended—the door was sealed with a piece of paper put across—I held the candle while Mr. Jennings sealed it—he did not ask me to do it—he only sealed it twice while he went to his dinner, and he dined with his door open— his door was only sealed twice, to the best of my recollection—it was sealed, I think, with paper—I am not aware that it was ever sealed with tape—I dined with Mr. Jennings several days—Mr. Wadeson did not—he was asked, but did not do it—I think I might positively say I dined fifteen times with him, if not more—we had our dinner, and he immediately returned to his room—I had no conversation with him about the witnesses

who were examined—if I commenced the conversation, he refused to answer me—that was two or three times—the moment I saw the pencil-marks, I said, "Good God, there are pencil marks!"—I think he told me he knew what they were, but he did not tell me what they were at that time—I examined the fac-similes with him—he said he thought it his duty, lest any thing should happen to him, to point them out to me, and accordingly he did, and I saw them then—I think that might be a week or more after I had asked permission of him to look at them, and had inspected them—he pointed out to me what he had discovered—I made out "Bishopgate-street," and "Cursitor-street," and parts of some other words, but I had not time to apply to them, as Mr. Jennings was examining witnesses, and at the end he pointed them out to me—I examined the fac-similes with him—I did not at all assist in making the fac-similes—I bought the paper of Mr. Pritchard, the bookseller, at Mr. Jennings's request—I believe it was charged to Mr. Rumsey Williams's general account—I saw Mr. Jennings making the fac-similes from time to time, but I never assisted him in tracing either the writing or the pencil-marks—I am sure of that—I swear it—I was in and out of the room on different occasions while he was making the fac-similes—there was no one else there—the fac-similes were made, I think, mostly at night, and in the morning I saw the greater part of the pencil-writing traced upon the tracing paper, but I did not at all help him—I cannot tell how long he was employed—I saw the fac-similes lying on the table—I am not aware that any one else saw them—I never saw but one copy of them made—I examined them with him—I might be two or three hours employed about that—I think we examined the duplicate and the original first, and then the others another day, but I would not charge my memory precisely with that—Mr. Jennings had the fac-simile lying before him, and, from time to time, he took up the papers which he could see with the naked eye; and when he could not, he used a reflector, and then he traced the marks on the fac-simile—he had the fac-simile before him, and he took up the will, and saw through what part of the letters the marks went—he traced them through the dot of an i, or the tail of a g—he certainly placed the tracing paper over the papers, and with regard to the ink, he traced that over it—he had no pencil to make an imitation of the pencil-marks—I think he did them with red ink—there was a pencil, his ownpocket-pencil, but he never applied that to the original will, that I saw—I had a full opportunity of seeing the fac-similes, and I told Mr. Rumsey Williams what I had seen—I did not tell Mr. Wadeson—he was gone before the fac-similes were made—Mr. Williams attended the commission himself daily—I did not mention to him what I had seen, nor call upon him for any explanation—the fac-similes were finished the day the commission was closed—I then proceeded to my lodging, about a mile from Carnarvon—I did not go to London till after Mr. Williams was in custody—I did not go to procure the warrant—I remained at Carnarvon—I knew the warrants were coming down, but I cannot tell positively who told me—I think it must have been Mr. Rumsey Williams, but I would not charge my memory—I had no conversation with Mr. Jennings about any warrants—I swear that—the officers sent to my lodging for me—I was not there, and they sent to a friend's house—I met them at the gate, and accompanied them to Brynbras Castle the next morning—the officers did not think themselves justified in going, without some one to identify the prisoner—Mr. Williams was at home at Brynbras Castle—he took his papers in his own custody to Lon-

don—I packed them up for him, and they were taken, by Mr. Williams's desire, to London, to be inspected by his professional advisers.

Q. Did not the officer seize a large quantity of papers belonging to Mr. Williams? *A.* He said to Mr. Williams, "We shall want your papers," and Mr. Williams filled one bag with papers, and said they should be taken to London and inspected in the presence of his legal advisers—Mr. Williams, the officer, and myself went to the iron-chest, and Mr. Williams took them out and put them into the bag—that was certainly under the requisition that they should want his papers—I have not detained a great portion of those papers—I do not know of their being detained—Ellen Evans was taken at Brynbras Castle at the same time—I was not present when Ann Williams was taken—I accompanied Ellen Evans to Tyn-y-maes, and there met Mr. Jennings—I was surprised—he and I entered into conversation with Ellen Evans and Ann Williams—I put some questions to Ann Williams—I told them they were charged with forging the will, and then asked questions—I did not see either of them during the rest of the journey—I left and went home—I had come in a post-chaise with Ellen Evans alone, about fourteen miles, and the officer was on the box—I had some conversation with her, and put questions to her—that was not by the desire of Mr. Rumsey Williams, but out of my own head—I came to London in the beginning of March—I saw two of the fac-similes in the country with Mr. Jennings—I saw them again on my examination—Mr. Jennings brought the fac-similes when I saw him at Tin-y-maes—he showed them to me—I had two of them in my hand.

Q. Had you them at Carnarvon? *A.* I had two—I showed one to Captain Boyle, and I showed them to Mr. Morgan, at the bank of Carnarvon, now you remind me of it—I went there for money, and I showed them as curiosities—when I was examined in London, I saw the same fac-similes—I have seen Mr. Jennings since I have been in town—I saw him yesterday and to-day waiting outside—I conversed with him as I would with any other person—I have assisted in the prosecution as clerk to Mr. Rumsey Williams—I have conversed with Mr. Flower—I conducted the prosecution in the country in Mr. Rumsey Williams's office, as his clerk—I have communicated but little on the subject with Mr. Rumsey Williams—he would not communicate with me—I brought the witnesses to town myself—I subpœnaed a witness named Jane Thomas, but she did not come under my subpœna, she was on her way to London when I subpœnaed her—I believe she was one of the house-maids—I subpœnaed Owen Roberts—I do not know that he was the gardener—I was not directed by Mr. Rumsey Williams to subpœna them, but by Messrs. Harmer and Flower—I came to town and instructed them—I drew up a brief and gave it them—I subpœnaed Grace Jones—she is here—I have never said that I was directed by Mr. Rumsey Williams to subpœna these witnesses—I do not know that Mr. Rumsey Williams is employed by any one to conduct this prosecution—I am not the agent of Messrs. Flower—I have conducted the prosecution as Mr. Rumsey Williams's clerk—I saw Mr. Jennings in London—I called at his house three times to see him, and talked to him in general terms about this business—I dined at Mr. Rumsey Williams's house at Penross in company with Mr. Jennings—but I went home—I was not very well—I went in the same chaise with Mr. Jennings—I do not know who paid Mr. Jennings's expenses of that journey—I met Mr. Jennings at dinner at Mr. Rumsey Williams's on the day after the apprehension of the prisoner.

Sir William Follett. *Q.* Did Messrs. Harmer and Flower send you

a list of the names of the witnesses you were to subpœna? *A.* Yes—I had it from them in London—I subpœnaed Jane Thomas, and she was on her way to London—they told me she was subpœnaed on the part of the prisoner, at the house where she was living—Mr. Lloyd Roberts and his clerk were there—I asked Mr. Lloyd Roberts's permission to subpœna Owen Roberts, for the prosecution, understanding he had been subpœnaed by the prisoner—I subpœnaed Grace Jones, at the house of Mr. Thomas, the maltster, and she then showed me the subpœna she had on behalf of the prisoner—they are in town, on both subpœnas—I have seen them in town—I looked at these documents, first of all, to examine the signatures, as I understood that Ann Williams and John Williams could not write—I was present at the time Mr. Jennings traced pencil-marks—he had the will before him, and copied it—I examined them with him—he had one, and I the other—we read over the ink and pencil-writing, and examined them, one with the other—I did not assist him in any other way than that—in fact, he made a good deal to do about letting me see them at all—the papers were put into a bag at Mr. Williams's—I have never seen them since—one parcel of them was sealed up by me, by Mr. Williams's direction—the papers were taken out of the chest by Mr. Williams himself, and put into the bag—the officer was present—I put questions to Ellen Evans when I was in the post-chaise—one was, how she came to be present when Mr. Panton signed the document which she had seen in London, said to be his will—another question was, where was he at the time, and whether John and Ann Williams were present, and how they came to be present—she said she was in the drawing-room with her master, and Mr. Panton had been signing a parchment, which she and her master had witnessed—she said that her master told Mr. Panton there was another paper for him to sign, and he desired her to call up John Williams and Ann Williams—she said Mr. Panton held the paper in his hand, that he approached the table and signed it, and that he said to her master, "Tom, will you not witness that too?"—and he said, "No, there is no occasion for that—they will do"—I asked if Mr. Panton said any thing—she said that he said he delivered it as his last will and testament, or as his act and deed; and that Ann Williams and John Williams had signed it, and that she had signed it; and that on her signing it, she was going to read the contents, and her master put a sheet of blotting-paper over the will—I asked her what they were talking about when Mr. Panton signed the document that she had seen in London—she said they were talking about Mr. Hurlock—I asked what they said about Mr. Hurlock—she said Mr. Panton said that Mr. Hurlock gave a great deal of trouble, and Mr. Williams answered, yes, he did, but it would soon be over now—I asked whether she was sure this passed—she said yes, she was, and that she had stated so to the examiner in London—I asked her if he wrote it down—she said she did not know—she had told him many things which she thought he did not write down—she said it was after Mr. Panton had signed the paper she had seen in London, that he said Mr. Hurlock gave a good deal of trouble—I believe that was the substance of what passed on that subject—there was conversation passed on other matters.

FELIX SLADE. I am a proctor. I have no recollection, on any occasion, when Mr. Wadeson was from London, that I deposited any scrips any where for him—I believe I did it, but I have no recollection—if I did, it will appear in the assignation-book—from seeing it in this book, on the 22nd of July, I am aware that I must have done it—(*looking at the book*)—I am certain I did not make any alteration in those scrips.

Cross-examined by Mr. Attorney-General. *Q.* When an examiner enters on his office, is he not sworn that he never will disclose any thing that happens on any examination, until publication passes? *A.* I believe he is—it is his duty to hold no communication with either side, respecting the evidence—I am not aware whether he is sworn.

Sir William Follett. *Q.* The witnesses are examined on oath? *A.* Yes, and their examination taken down in writing, and at a certain time it is published—both proctors see the scrips as soon as they are filed—it is only the statement of witnesses that is not shown—the proctors are not present at any part of the examination—the witnesses are examined from the allegations in the interrogatories.

William Boggie *re-examined.* The prisoner applied to me a few days after Mr. Panton's funeral, to attend the reading of Mr. Panton's will, at Plasgwyn, and said his brother, Mr. Gethin Williams, would write to inform me when the time was fixed—this was a day or two after Mr. Panton's funeral—I agreed to it, but I was never informed of the time to attend—Mr. Williams told me at that time it was his intention to enter a caveat against the will, and begged I would make the necessary inquiries as to how it was to be done—he did not tell me his reasons for doing so—he made no mention of any other will, except the one that was to be read at Plasgwyn—he was in a very great hurry; it was late in the afternoon, and he had a long way to go—I have stated all that passed respecting going to Plasgwyn—I was to receive information from his brother, but I did not, and never attended—he did not mention the ground of the caveat—I went to Bangor to make inquiries, and found that it must have been done by a proctor.

Cross-examined by Mr. Attorney-General. *Q.* Mr. Williams had entered a caveat at Bangor? *A.* Yes, and then he had gone to London.

Robert Williams. I am a solicitor, residing at Carnarvon. I was desired by Mr. Rumsey Williams to attend at Plasgwyn, on the 9th of June, to read over the will and codicils of the late Mr. Jones Panton, and to explain them to his relatives—I know the hand-writing of the prisoner—(*looking at an affidavit*)—I believe this to be the signature of the prisoner.

The following documents were read:—The affidavit made by the prisoner, in the cause pending in the Prerogative Court, in which he deposed that no papers, scrip scroll paper or writings in the form of a will or codicil of Mr. Jones Panton, had at any time come into his possession or knowledge, except the documents Nos. 1 to 11, and the will and three codicils produced on the part of the prosecution.

The scrips are as follow:—No. 1, purported to be a will of Jones Panton, dated the 6th of November, 1834, bequeathing all his tenements, &c. in Anglesea, to his son, P. G. Panton, and his heirs; those in Denbigh and Merioneth, to William Barton Panton; to his daughter Martha Hamilton, and Lauretta Maria Williams, and the children of Jane Elizabeth, his deceased daughter's, the property in Flint; and the residue, real and personal, to his daughter, L. M. Williams; also all his messuages, &c. in Great Britain, also his funded property, money, furniture, &c., and all personal property, and appointing his son-in-law, Thomas Williams, executor; it was attested by Ellen Evans, Ann Williams, and John Williams.—No. 2 was a duplicate of No. 1.—No. 3 was a codicil, dated the 15th of October, 1836, confirming the will, attested as before.—No. 4 was a codicil, dated the 7th of May, 1837, bequeathing 20*l.* to his upper housemaid, Jane Thomas.—No. 5 was instructions for the will, No. 1.—No. 6, a slip of paper, on which was

written, "Whereof, I have hereunto put my hand and seal, this day of May, 1834, Jones Panton. Signed, &c. in presence of Ellen Evans, Ann Williams, and John Williams." No. 7 was a notarial copy of certain pencil memorandums. No. 8 was also instructions for the will, No. 1; and requesting his son-in-law, Thomas Williams, to draw the same.

No. 9.—"I give to my son, Barton Panton, my Denbighshire and Merioneth estates, and his children. I give my Flintshire estates to Martha Hamilton Bulkeley, and her children; also to Lauretta Maria Williams. As to Hugh Thomas, he is no better than Old Lewis." *(This was written on the back of the envelope of a newspaper, with the name of Newcombe.)*

No. 10.—*29th June*, 1836.—"My will in 1834 to stand, and nothing in it is to alter what I have given to Laura. I have been robbed of my property by that woman of Llanddyfnan; and my children must look to the marriage settlement of Jones Panton, as I did not understand it, and trusted to Oldfield. My servant Jane is to be in my will; the sum I will state another time.—JONES PANTON."

No. 11.—Was a codicil to the will of the 6th of November, 1834, confirming the said will, and signed—"I approve of this, JONES PANTON."

GEORGE THOMAS RUTHVEN. I am one of the officers who apprehended the prisoner on this charge. I took possession of some papers—there were two cases produced by Mr. Williams—he ordered his servant to go and fetch them—there was an arrangement made in his presence for their conveyance to London—I was out of the room part of the time—when I came back it was arranged that the parcel should be sealed up, and not opened till they came to London, in presence of his solicitor—they were opened two days after my arrival in London in presence of his solicitor, and the solicitor for the prosecution, and Mr. Williams himself, at the prison—there was a selection made from those papers of what were thought necessary for the prosecution, and the others were given up immediately to Mr. Williams and those who were about him—the others have remained in my custody ever since, and I now produce them—I afterwards gave copies of the papers that remained in my hand, to the prisoner's solicitor, and the solicitor for the prosecution—I was ordered to attend the copying of the papers.

Cross-examined by MR. ATTORNEY-GENERAL. *Q.* Who gave you instructions to seize the papers of the prisoner? *A.* Mr. Flower, the solicitor for the prosecution, told me when I got them to seize all necessary papers that applied to the case—I had no warrant, but for the prisoner's apprehension—I was not to judge of what papers were necessary—I was to meet a gentleman in the country, who was to go with me—I presumed that the gentleman was to direct me as to what papers were to be seized—I met the gentleman at Carnarvon, it was Mr. Tyrer, Mr. Rumsey Williams's clerk—he accompanied me to the house to apprehend the prisoner, and he was present when the papers were taken—Mr. Flower told me I should meet a gentleman there who would tell me what to do—he told me to seize what papers were necessary, and that I should meet a gentleman who would instruct me—I was accompanied by Mr. Tyrer—when I apprehended Mr. Williams I told him we must have his papers—(there was another officer with me)—I am not aware that Mr. Tyrer had said any thing to me at that time as to the papers I was to take—when I told Mr. Williams we must have his papers, he rather demurred in the first instance, but being told that we must have them, he desired his servant to go and

fetch the papers in two boxes, and then they were taken out and all put into one—I apprehended the young women—one was at the house at the time, who was put into custody of the constable of Carnarvon—I did not bring Ellen Evans to Ty'n-y-maes.

ROBERT WILLIAMS *re-examined.* I am acquainted with the prisoner's hand-writing. The name subscribed to both these deeds (*looking at them*) I believe to be the signature of Mr. Thomas Williams—this agreement of the 31st of May is in the hand-writing of the prisoner.

(*A deed of partition of certain property in Bishopsgate-street, Cursitor-street, and other places, was here read.*)

Adjourned.

Wednesday, April 11*th.*

The Queen against Thomas Williams—(Continued.)

JOSEPH NETHERCLIFF. I am lithographer and fac-similist to the British Museum. I can see marks on this scrip No. 1—I see a capital "D" here written in pencil; and at the top, under the word "Amen," there are pencil-marks—I see the double line of a large letter under the second and third lines—I see double strokes of large letters, but I really cannot at present distinguish what they are—here is "Map" on the left-hand side of the paper—here is "hopgate-street"—on the right of the paper in the same line here is "Cursitor-street"—I see a double-line ruled transversely, immediately under the "s" of "Cursitor"—I do not see any horizontal ruling—I see two lines under the word "sirname," but they do not go horizontally—here appears to be a line from "my sirname of Panton," running through the word "and," and going through the line—if I turn the paper sideways, I see some more of that kind of writing, double lines in pencil—it seems to me as though there were a capital "C," and I see a kind of final "t," about four inches from the "C"—under the "C," to the right, before you get to the double-ruled lines, I see some small mark, which looks like a figure—it looks to me like part of a "6"—I cannot speak to any other figures—a little to the right I see some remains of pencil, apparently a "C" and an "O," but I see it more by the indentation of the paper than any colour of pencil—if it is a "C," it is a capital "C"—about two inches down the paper, to the right-hand from "stock all and singular," runs a line, and under that is a small capital "C," as though the words were small altogether—I see parts of three letters between the "C" and a final "t"—there appears to be room for three letters between them, but I really cannot make them out—I see after the "t" a loop—under that word I see more bits of writing, in large letters, but I really cannot make them out—under the marks I see some ruled lines, and under the lines I see a "1," and a "2" after it—that is to the left of the paper—to the right, on a line with the "1" and "2" I see a "3," and beyond it, two lines—below the "3," and near the words "lastly," and "witness," I see parts of figures, it may be a "1," or part of a "4"—below this appearance of figures I see part of a ruled line running in a line with the word "pictures"—I see some large writing, and above that, near the end of "witness" and the "x" of "six," there appears to be a ruled line on which large writing has been—on the left side of the paper I see there is a long word, but I really cannot distinguish it—I see a long continuity of letters—I do not mean that letters continue all the way—there may be two words—now I see under the writing which appears a continuity of letters the word "ground," and in a

line with the word "ground" I see a pencil-mark across the word "entitled" —it is a letter which I cannot make out—I observe there are figures or letters —at the end is a "6," or it may be a turn of an "O"—just to the left of the word "eldest" I see a long word, and evidently the word "Court" after it—I can see an "s" near the close of the long word, the last letter but one or two—under that long word I can distinguish two small ruled lines across the word "Wales"—below that is the same kind of writing—here is a capital letter apparently—it is the word "Ground" again, but part of this is not double down-strokes—after I pass that word I see "o t," or "o l," written apparently in a hurry; and here is a large flourish of a letter I cannot make out—under the second word "Ground" I see "D e v o n s;" and there is more writing, but I can scarcely make it out—it contains four letters more apparently, and then another capital—I say it is a capital because it is higher than the others, but I cannot make it out; and there appears a final "t"—under the "D" there appears to me to be a "2" and a "3," very large; and about three inches on the right from the "3" here appears a very large "7," with a "6" before it, after it a very small "8;" and then I see the last sweep of a letter, but I could not swear it was a "9"—the letters are uneven, large and small—the principal parts of what I see are the indentations of pencil lines, and not the lead—the pencil has been rubbed out, and was a very bad pencil, but certainly the pencilling was done before the writing—this is the worst kind of paper to write on—there is no indenture on the ink—(*examining scrip No.* 2)—here is evidently, in the middle, the word "Map"—a little below it is a capital "B"—I see the word "Bishopgate-street," and in the same line I see "Cursitor-street" in full.

Q. Turn the paper up, and look if you see any ruled line horizontally along the paper? *A.* Certainly, I observe lines in various directions—under the horizontal line is the word "Cursitor," and under that the word "street" and two lines—along the same line is a capital "C," and some other letters, which I cannot swear to—here is "r t"—I should read it "Cursitor-court."

Q. Will you look at that a little more carefully? *A.* I was wrong, what I took for an "r" is an "s," with a "t" following it, or a looped "l" and "e"—it appears to be "Castle"—there is a line under it, which I think it impossible to speak to—in the last line but one, in the "t o" of the word "Hereunto" under the word "Castle," if it is "Castle," I see a long ruled line, and under that I see "1 2," and "1 3," in figures, well made, in double lines—to the right I see another figure, either a "2" or a "3," and there is a "4" distinctly, and under that two more figures—the last is a "5"—the first I cannot say whether it is a "2" or a "3"—it is either "20," or "25," or "30," or "35"—here is a capital not well made out—a "C a," and part of a letter, and a final "t," and a little below it, immediately under the "a," is a capital "G," an "o" in the centre, and a "d" final—there is an "r" following the "G"—under that there is a strong line passes horizontally through the whole, and under that another line and some writing between the two lines—there is a large down stroke of some capital letters, as an "I," a "P," or a "D," or any other—I can read the word "Court" at the end—under that I can see another line—I perceive writing below under these lines, here is a capital "G," and "r," and "o," and then I lose it—then there is a "d," and I can see nothing beyond that—I do not see any thing in continuation of that word—under

that I see a ruled line, and then under it a very good capital "*Devonshire*," a little beyond that, in the same line, is "*Stre*," one "e" obliterated a little, and a "T"—under the capital "D" I see figures —there is a "2 3 4 5 6," a long stroke, which might probably be part of a "7," and an "8," and a "9," very plain—I see a line over the word "Ellen Evans," running horizontally—it has been rubbed out very much —I should say decidedly from my experience, that the marks of letters which I see on this paper were made before the writing—this paper appears to me to have been rubbed to remove pencil marks, particularly in this part—I can see there were marks, which have been defaced—the ink certainly does not appear to have been at all removed—it appears to me to have been a very bad pencil, and if that had been done since, the grease of the pencil would have appeared over the ink, but the ink has covered the pencil, not the pencil that.

Q. Now take No. 3 into your hand, let me direct your attention to the upper part, about the centre division, and see whether you discern any writing upon that? *A.* I observe something immediately under the "No. 3"—I cannot make out the first letter distinctly—there is a capital, and a long tailed letter following—then there is a small "e" following it—then there seems a continuation of larger letters, but I cannot distinguish what they are—I cannot distinguish what the capital letter is—it is a capital "A" or "M," or such letter, with the turn they have—the final letter is very much rubbed, and taken away, but I see a "t," and I should suppose a long word before it—I cannot make out more that I should like to swear to—under the capital I discern other writing, but it has been so rubbed and smeared, that I cannot see it—there is considerable quantity of marks of writing, before I come to the writing—above the words "Last will," is a small running-hand capital "D," I should say that is all dirtied over—and then "d," and the first part of an "a"—through the word "Last" there appears to me "the city"—it appears like a good round "C," and "t y"—under the word "added," I can see a stroke, and then a "t," and an "e," but I cannot connect them—under the word "and" there is a letter at first sight, I should say it was a capital "B" at the beginning—under the words "on or about," in the second line, here is writing again—under the word "or" there is "a t"—under the word "about" there is writing which runs into it, but I cannot make out the letters—under the word "the" there is what would appear double "e," or a scrawl—in the 4th line there has been a great deal of erasure above the word "contained," and under it for some considerable space, and there is pencil writing before the "c" of the word "contain," and that continues on, but whether the commencing letter is a "t," an "l," or a "p," I cannot say; and an "A" it may be, "ga" "la" or "pa"—under the words "Jones Panton" there has evidently been writing rubbed out, but I cannot swear to the letters—under the word "intention," two lines lower, I see a capital "I"—I can very well discern that there are letters following it, but I cannot read them—I see after the "I" there is a combination of writing for two inches, and then comes scratching out again—under the words "and singular"—I see between the words "and" and "singular" a capital "D," and it runs up between the writing, "a t e d" —here is a long stroke on and above the word "other," in the same line, but I cannot distinguish any thing further—under the words, "and hereby also confirm," in the last line but two, there is the appearance of writing—and over that has been the word "one"—under the word "and"

there is the loop of a letter—there is no pencil writing below "I have hereunto put," and no pencil writing at all on the left hand side of this sheet.

Q. Now look at No. 4, I would direct your attention to the words "Codicil to?" *A.* This is very much rubbed indeed, but I see the traces of writing—over the word "One" in "One Thousand" in the 7th line I see writing—it appears to be a capital letter—the first part of a stroke, which some persons would make a capital "N"—under the "N" of the "thousand" there appears much such a capital as I saw before, which I should make a "D"—there is a short word following the "D," but that has been written through—it appears a "t," and part of an "o"—I should read it "d o t," but it has been very much rubbed—the nap of the paper is completely rubbed off—there appears to have been other pencil writing—under the "d" of the word "housemaid" there has been a very great erasure—it appears as though some long letter had been there —over the "*ys*" of "Plasgwyn" there has been writing—I see writing over the word "confirm"—under the "s" of "said" I see there has been writing, but it has been so completely rubbed that one part of the grease has got into another—under the words "said" and "mentioned," and between those two words, there are faint marks of writing, but I cannot distinguish to make out what the letters are—above the "sand" in the word "thousand," there has been a long word, which appears to me to have begun from the "t" in "thousand"—there is an "o" over the "S" with a stroke to it—it may be "a," or "q," or "g"—these marks were done before the ink-writing, certainly.

Q. Look at No. 5, begin at the centre of the paper, under the 5? *A.* Here appears a very large part of a capital in the same double-lined writing—it may be an "A" or an "M"—the next letter appears a "G," but I cannot make out exactly what that is—at the left hand corner here is "J. Panton, Esq."—in the opposite corner on the right, I discern a capital "B," and a continuation of writing, and a "Q" at the end—there appear indications of writing near the capital "B"—about two inches below the "J. Panton, Esq." –there is "B i s," a long stroke, and "o p g a t e" —after the "e" I see "s t"—if I turn the paper sideways, I see the figures "1 2," and "1 3," and I see here is writing under the 13—here is a capital letter, but it would take me a very considerable time to make it out—under that there is some other writing, in the same double-stroked letters —there seems "n t" and "r o" under it, and the "T" is a final letter—there is no doubt in my mind that the pencil marks of this have been done first, and the ink after.

Q. Look at No. 8, just above the "I" in the word "instructions"—*A.* Here has been something rubbed out so completely, that there is not a pencil mark—there is an indenture following some letter—there is a long word at the beginning—the first part of the letter which I can see the indenture of, appears to me as though it was a capital "I," or it may be the up-stroke of an "M" or an "A"—there is the remnant of a long word after the "o" in the word "instruction"—a little bit of pencil remains, but I cannot form a letter—there is the pencil mark of a letter in the "f" of "for"—there is other writing, which appears to have been removed by a knife, not rubbed—under the line, "I give to Paul Griffith Panton" there has been writing, through the word "Paul" I see capital strokes—I see clearly "of" over the word Panton—and through the "n" is a stroke—but there is an erasure again, with the thumb nail or a knife—

there is some writing continued to the end, and going down a little, as if there was not room for it—in the word "all," there is a letter through the "a," and a long stroke through the "l"—it might might read, "at the" —and through "Plasgwyn," also, there is writing—there is an "o" and what appears like an "f" through the word "Gwyn"—through the words "whoever has" there is an "a," an "n," another "n" or an "m"— there is writing also in the next line, under the words "the" and "Anglesey," but I can only see the tops of letters—I think I can make out an "a" there, and the others may be "l's" or "t's"—they are long letters— under the word "property" I do not see any thing but erasures—lower down, under the words "all the rents," there is evidently the word "covenants"—through the word "law," I can see pencil marks—a long stroke, which may do for "f" or "t"—I can see distinctly "and" written through and under the words "my will"—there are letters before it, and after the word "which" I see an "x" distinctly.

Q. Look at the words which precede the x attentively? *A.* Here is "six" after the word "and," and before the "s" I can see a "t y," written up and down in a careless way—now I look at the marks preceding the "t y" I see it is "thirty"—I now read the words "And thirty-six"—in the line immediately above that the last words are, "To draw," and through these words there are long and short strokes—but I really cannot tell what they are—there is "t h" and some others—the words "And thirty-six" are apart from each other, and a little downward—that is not the case with the rest of the writing, generally speaking—the lines are more regular than that happens to be—there is a little inclination in the line under "Griffith Panton," but not equal to this—that is not in a straight line, but this is very much out—I cannot trace any thing after the letter "x" in the word "Six."

Q. Take No. 10, and look at the word "June?" *A.* This is written across with that same kind of character, double strokes in the down-strokes —I can only make out the turns of letters, apparently three lines of letters —I see a double line before the "29," but not letters—about a quarter of an inch from the "29," and running through the "th" in the word "nothing," about half an inch lower down, I find the words "No. 10" written, and across it some pencil marks, but I cannot make out what they are—still lower, I see a little mark on the "t" in "instruction" and a mark after it, but I cannot form them into letters—lower still there has been something, but I cannot make it out—the pencil marks on this paper, also, appear to have been written before the ink.

Q. Take No. 11, and look at the words, "and part" in the second line? *A.* I see there has been writing here, but I cannot trace the words till I come to the end of "last will and testament," and there is a capital "B," a capital "H," some way on, a "c," a "k," and "Esq."—I cannot swear to what there are between the capital "H" and the "c k" there is a capital "C" running through the word "November," in the fifth line, and reaching to "thirty-four"—here is a "Cu," or a "Ca" and I see a "t" and an "s," the "s" appears to be across the "I give"—the "s" is two or three inches from the capital "C," but I really can hardly swear that it is an "s," it is not a capital letter—I can distinguish two "e's" and a "t" finishing that line, not capitals, but double-lines—I do not see the double lines of the capital, but the small letters are double-lines—I now reverse the paper, and look at the words "Jones Panton" I see across that a capital "C u"—I can see distinctly enough to read

the word "Cursitor"—the letters are not all plain, but I should take them for nothing else—under the word "Cursitor," about an inch below it, is double "e t"—under that again here is the remains of some large capital, the two down strokes of the commencement of a capital—here is the head of a "2" or a "3," and under that again appears another "2"—under the second figure I see two faint lines, but I see no words—in "ratify and confirm," here are faint marks, but I cannot make out a letter—here are double marks forming letters—on the right of the word "Cursitor," there appears another capital "C," and the tops and tails of letters, and it appears to end with a final "t" or "d"—under the word "Cursitor," I see a mark which may be the down stroke of a "4"—I now see it is the figure "1," and immediately next to it is a "2"—under this "1" and "2," there is the same down-stroke, which having a "3" annexed to it, appears to be "13"—on the left-hand side, there is large writing across it, but I cannot distinctly trace the writing—on the right-hand side there are the remains of a capital "D"—under the figures "2" and "4," there is another "2," but I cannot see the figure which follows it—there is the remain of a figure—these marks, like the others, appear to me to have been on the paper before the writing.

Cross-examined by MR. ATTORNEY GENERAL. *Q.* When did you first see these papers? *A.* I do not exactly recollect the time—I saw several of them at the Prerogative Office, about a fortnight ago—the registrar showed me the papers—I went three times, about half-an-hour each time, to examine them—no one assisted me to examine them—I have very good eye-sight, but I used a magnifying glass—I have seen the fac-similes in the hands of another person, but I never examined them.

WILLIAM CHRISTMAS. I am a clerk in the Bank of England. I made an extract from the books this morning, of the amount of stock standing in the name of Jones Panton—there is in the 3 per Cent. consols, 4,524*l.* 17*s.* 7*d.* on which the dividend has been received, till January 1838, under the power of attorney to Esdail, Hammet, and Scott—the next is 3214*l.* 3*s.* 2*d.* in the reduced Three and a half per Cents., on which the dividends were received to the 5th of this month, under a power of attorney, by the same house—20,722*l.* 12*s.* 1*d.* in the new Three and a half per Cents., which was formerly the new Fours—the dividends have been unreceived from July 1827, but not all on the same amount—there has been increase in the stock from time to time.

Cross-examined by MR. ATTORNEY-GENERAL. *Q.* Any one may ascertain what dividends are unpaid by looking at a book? *A.* Yes, but those lists only contain stock which has been for ten years—the unclaimed dividend book is published once a year, usually in June, but this year it was published in March.

SIR W. FOLLETT. *Q.* What do they contain? *A.* Only where there was stock as well as dividend remaining unpaid up to 1823—since then the Bank have published the name and description of the party, and the time the dividend became due, but no amount—that can only be ascertained by application to the Bank.

JOHN HOLFORD GRINLEY. I am clerk to Edward Rumsey Williams, son of Mr. Rumsey Williams. I have the proceeding in a commission of bankruptcy against John Roberts—the date of the fiat is the 23rd of December, 1833—I knew John Williams of Brynbras—I do not know that he was in the service of the prisoner—I knew the man, and he is dead I am informed—he was at our office frequently—his front teeth projected

out in front—I remember his coming to me in August, 1834, to prove a debt of 1*l.* 11*s.* 8*d.* under that commission—I prepared a proof for him and put it before him—I took him before the commissioners at the Goat Hotel, and caused him to be sworn—he did not put his name to the depositions—he said he could not write, and asked me to put his name, and he put his mark to the deposition—he might be from thirty-three to thirty-five years of age—he was rather a tall man—he appeared to be a common labourer—I put the mark of John Williams, and he put his cross—he received his dividend under the estate—I left the receipt at the examiner's with the depositions—he went by a Welsh name, signifying "Like a hare."

(*The deposition and receipt being produced by Mr. Beames, from the Prerogative Office, bore the mark of John Williams instead of a signature, and were attested by the witness.*)

Cross-examined by Mr. Attorney-General. *Q.* The father and son are not in partnership? *A.* No—one lives at Carnarvon, the other at Penross—I went to Mr. Edward Rumsey Williams first in 1834—I left him once, and then went back—there was no accusation brought against me at any time, or by anybody—I am a writing-clerk—I was absent from Mr. Edward Rumsey Williams about ten months—during that time I wrote for Mr. Edward Williams, Mr. Rumsey Williams, or any person I could get a job for—I have copied abstracts and things for him—I think the last time I copied an abstract for him was about August last.

Q. Just look at this figure "5," is that figure in your hand-writing? *A.* It is—it was always a 5—it has not been altered in the least—the receipt will bear it out—if you look at the receipt, you will find it is the same—I might have made this figure a 3 first, by mistake, when I first copied it—I cannot say that it has not been altered from the time I originally wrote it, but it has not since the man received the money—John Williams is dead—I do not know his widow.

Sir William Follett. *Q.* What was the date of the fiat? *A.* The 23rd of December, 1823—the commission was against John Robinson, who was proprietor of the quarry at Llan-rig.

Richard Owen. I am parish-clerk of Llan-rigg. I knew the late John Williams—I knew him in the service of the prisoner—when I was there he followed the horses—I produce the register of the marriage of that John Williams—I know he was living in the service of the prisoner in October—I do not know the day of the month—it is two years past—he died about the month of October, in the same month that he left the prisoner's service—I do not know what sort of front teeth he had.

Cross-examined by Mr. Attorney-General. *Q.* Did you know much of this John Williams? *A.* No—only seeing him occasionally—I do not know whether he could read—I do not know to the contrary but what he could—I never saw him at it.

Robert Peters. I knew the late John Williams, of Llan-rigg—I knew him to be in the service of the prisoner—I was present at his marriage, and saw him put his mark to this register.

Cross-examined by Mr. Attorney-General. *Q.* Did you know him in his life-time? *A.* Yes—I never saw him try to read—I saw him make his mark at Llan-rigg church—I never saw him have a pen in his hand but on that occasion—I never saw him make figures—I know the widow and son of John Williams—I saw them in London, in the Park, on Sunday, at a distance—I did not speak to them.

(*The register being produced, bore the mark of John Williams, instead of his signature.*)

JOHN HUGHES. I knew the late John Williams—I was not in the habit of paying him money, but I saw him paid—the account generally reached to seven weeks—receipts were taken from him on those occasions—(*looking at some receipts*)—these do not belong to me—none of these are in my time—I have some receipts in my own possession—these are them—here is one of November, 1828, with the mark of John Williams—here is another, 17th January, 1829—29th March, 8th May, 3d July, 11th August, 10th October, 24th November, all having the mark of John Williams.

Cross-examined by MR. JERVIS. *Q.* Were not these payments at the quarry on the usual pay-nights? *A.* Yes—they were for the regular pay-nights, but sometimes it was a little postponed when the money had not come up—it was a very large work—some of these accounts amount to as much as 600*l.*

THOMAS JONES. I am agent of the quarry at Llan-rigg. I knew the late John Williams since the year 1824—he had two broad teeth, and one narrow one, in front of his mouth, which projected more than usual—a foreman at the works, named Thomas Jones, used to pay the men—Williams was one of the workmen at the quarry—these receipts (*looking at some*) are all receipts for money paid to him at different times—here are forty-nine receipts, from the year 1832 to 1833—these all have the mark of John Williams—according to all he showed me, in act and deed, while he was with me, he could not write—I have not known that he could read.

Cross-examined by MR. ATTORNEY-GENERAL. *Q.* Do you know whether he could? *A.* I do not know that he could read every thing—I never heard him try—from what I heard, he could neither read nor write.

JAMES WILLIAMS. I am a sadler, residing at Carnarvon. I knew John Williams while he was in the service of the prisoner—I remember his calling on me to give an order for some harness—I asked him to write down the order—he said he could not—I think this was in 1814—it is down in my book—I was not in the shop myself—I was in another place—I sent for my son—we were all three there—John Owen wrote the order down—I was naming it, and John was writing it—John Williams was there, and only we three were in the room.

Cross-examined by MR. JERVIS. *Q.* Can you write? *A.* Yes, a little—I can write my name—I can write down what belongs to my own business, but my work is not fit to go before anybody—I never make a mark to a receipt to a bill.

BROOK BAYNES HURLOCK, ESQ. I was formerly jointly interested in some houses in London, with Mr. Jones Panton—we were tenants in common—there were some in Cursitor-street, some in Castle-street, and I think Warwick-court, and some in Devonshire-street, at the other end of the town, and I think two in Cavendish-court, to the best of my recollection—I do not know what Devonshire-street it was—I do not recollect whether we had any in Bishopsgate-street—we afterwards agreed to a partition—I acted for myself, being a solicitor, I did not employ any one—I did not manage this property myself, we appointed Mr. Hodsoll, a gentleman in the Royal Exchange, receiver, and we did not give ourselves any trouble about it—the deed of partition was drawn by counsel—there was a deed of partition executed in 1831, the counterpart of which I have now in my pocket—since then I ought to have received the rents of part of the property myself, but I have not—I have some distant recollection of seeing the prisoner with reference to this property—I think I saw him once, when we agreed to part the property, and I think, on our entering into a verbal

agreement, the property was valued—I think we had the property valued by Mr. Curtis, who lives at Stratford—after the valuation was made, Mr. Williams wrote that he must have the lot in Devonshire-street, and then we entered into a written agreement, which Mr. Williams took down—I first made a verbal agreement with the prisoner—according to the best of my recollection, that verbal agreement was not acted upon, and there was subsequently a written one, which was acted upon, as the deed will show—I did not know where Cavendish-court is situated, nor Devonshire-street—I think it is in the City.

COURT. *Q.* Have you any recollection of any plans or sketches being prepared for the purpose of dividing the property? *A.* I have not, some plans were shown me some time ago, but I never saw them before.

GEORGE THOMAS RUTHVEN *re-examined.* I have got the papers I produced yesterday—here is No. 1, and Nos. 25 and 24.

ROBERT WILLIAMS. This paper and counterpart of the deed, and these three other papers, are in the hand-writing of the prisoner.

(*The following documents were here read:—Scrip No.* 8, *as stated in page* 1150. *A valuation of certain property in Devonshire-street and Castle-street, in London, amounting to* 9450*l.* *Instructions for the division of certain freehold property, Nos.* 12, 13, *and* 17, 18, *in Cursitor-street;* 24 *and* 25, *Castle-street; Nos.* 3 *to* 9, *Devonshire-street, and other places; together with the deed of partition.*)

Adjourned.

Thursday, April 12*th.*

The Queen against Thomas Williams—(Continued.)

Evidence for the Defence.

THOMAS WILLIAMS. I am a solicitor of Beaumaris, and Mayor of that town. My brother, Mr. Bulkley Williams, married one of the Miss Pantons—he is a clergyman—in the year 1824 I was in partnership with my father—who is dead—I produce a will and codicil made by Mr. Panton—they are in the same state as they were, sealed up by Mr. Panton—I witnessed the execution of the will, and one codicil—I had made a previous will to this, which was cancelled—this is the draft of it—that will has been destroyed.

(*This was the draft of a will devising certain estates and personalty equally between Paul Griffith Panton, Thomas Panton, William Barton Panton, Mrs. Hamilton, Jane Elizabeth Panton, and Lauretta Maria Panton; and making Paul Griffith Panton, and Rev. W. Hamilton, executors. Dated* 26*th of January,* 1824. *The will was dated* 18*th of March,* 1824, *and exercised a power of appointment given by settlement in favour of the said children and their issue. The codicil, dated* 10*th of February,* 1825, *gave parts of certain estates to Paul Griffith Panton, and other parts between the five other children, directing the same not to be included in the settlement.*)

THOMAS WILLIAMS (*continued.*) I knew Mr. Jones Panton well—he was very unused to business—his habits of business were very odd—I know his hand-writing—he was very cautious and very suspicious—I believe this letter to be his hand-writing—(*looking at one*)—I believe this scrip (No. 9) to be his hand-writing, and also all this scrip, No. 7—I know his seal—I believe the seal of this will (scrip No. 1) to be his, also the signature—I think this is his seal on No. 3—I believe the hand-writing

of No. 4 to be Mr. Jones Panton's, and I believe the slips Nos. 8, 6, and 11, also, to be his signatures.

Cross-examined by SIR WILLIAM FOLLETT. *Q.* You prepared these wills? *A.* Yes—my father and myself—the hand-writing of this draft is my own hand-writing, and corrected by my father—I was not present when the instructions were given—they were taken by my father—the signatures of the witnesses in the draft are my writing—no part of that is the writing of the testator—I know nothing of the instructions for this will but what I heard—the instruction for the will of March, 1824, were taken by my father and myself—we took the instructions in writing—I have got them—these are them—(*producing them*)—the whole of it is my father's hand-writing—I was present when my father took the instructions from the lips of the testator—I have no instructions for that will signed by the testator—I also took the instructions for the codicil of 1825—these are them—(*producing them*)—this is partly my father's, and partly my writing—it devises all the lands, not comprised in the settlement, to the six younger children—the will had been cancelled—I was not present—it is marked "cancelled," by my father, upon the draft—my father, brother, and another person, are the attesting witnesses—I am acquainted with the hand-writing of Mr. Panton—I believe this document of the 27th of April to be his hand-writing—(*looking at it*)—I have seen this before at Doctors' Commons—(*looking at* No. 9)—I have a clear belief about that—I believe this to be his hand-writing—I do not think I have seen him write with a pencil—I believe this (No. 7) to be his hand-writing—I can read the words at the bottom—it appears to me to be the same hand-writing as the rest—I was concerned for him, and have seen him write—I have seen letters from him—I saw him execute his will and codicil, and have seen him sign leases—I was concerned for him in passing his brother's accounts at the Stamp Office—it was necessary to have his signature—I have seen him write cheques—he was not in the habit of employing any member of the family to write for him, to my knowledge—I do not remember having any communication from him by letters at all—our communication was generally verbal—the last letter I saw was in the year 1829, on the death of his daughter—I was not in the habit of receiving letters from him—I have seen letters from him.

MR. JERVIS. *Q.* Is it at all uncommon for persons who are not good scholars, though they can write their names, to make their marks? *A.* They will not write their names, unless obliged to it—they prefer putting their mark—I have seen many letters of Mr. Panton's, and am well acquainted with the manner of his writing—it is very peculiar.

PAUL GRIFFITHS PANTON. I am the eldest surviving son, the second son of the late Mr. Jones Panton, of Plasgwyn, and brother to Mr. Barton Panton, the prosecutor. I live in Denbighshire, better than sixty miles, I should imagine, from Plasgwyn—Mrs. Williams, the wife of the prisoner, is the youngest daughter of my father—she was my youngest sister—previous to my marriage, in 1826, I had opportunities of observing, and as far as I can judge, I should say she was a very great favourite of my father's—previous to my marriage, the management of my father's affairs were intrusted to me, for about three years—I had a great opportunity, during that time, of observing the way in which he transacted matters of business—during that time, he was called on to sign instruments—I should say, decidedly, he would not have signed with ink a paper written in pencil—I am acquainted with my father's hand-writing—to the best of my judgment, I should say, that this letter is his hand-writing

—(*looking at one*)—he was in the habit of employing members of his family to write for him, previous to his death—I have never seen Mrs. Barton Panton write, but I have received letters with my father's name—this one I received on the 3rd of June, 1833, containing 75*l.*—(*read.*)

"Plasgwyn, June 3, 1833.

"Dear Paul,—I send you 75*l.*, which you will acknowledge—I meant to have left you my Flintshire property if I had not been robbed by that wretched woman, and that double villain, Oldfield.

"Yours, affectionately, "JONES PANTON.

"To Paul Griffith Panton, Esq. Kilhendre, Ellesmere."

Q. Look at this letter of the 22nd of April, 1834—is that in your father's hand-writing? *A.* I have seen this letter before, and said it was in my father's hand-writing—to the best of my judgment it is his hand-writing—it is a hard thing to swear to it—I believe it to be his—(*read.*)

"Plasgwyn, 22 April, 1834.

"DEAR TOM—I wish to see you very much, when I shall be able to show you how much I have been robbed of all my property, by that infamous woman of Llanddyfnan, Hugh Thomas and Oldfield, who I employed as my confidential advisers. With love to Laura, your's truly,

"JONES PANTON.

"To Thomas Williams, Esq. Brynbras, Carnarvon."

Q. Will you look at this, and tell me whether you believe that to be your father's hand-writing?—(scrip No. 9.) *A.* I do believe it to be his—I believe this pencil-writing (No. 7) also to be his.

Cross-examined by SIR WILLIAM FOLLETT. *Q.* How long before your father's death had you seen him? *A.* I had not seen him personally since 1828—I cannot say in what month—I do not recollect—it was about probably one-third or a quarter of the year, in the early part of it—I should say I was not on bad terms with my father since that time—at first, there was a difference concerning some family affairs, and after that I never saw my father—great care has been taken to keep me from seeing him—I should say that difference did not continue to the time of his death, if I were to judge from the tenour of a letter I received from him—I was not reconciled to him—I cannot fix the day of my hearing of his being ill—it was in the month of May I received a letter—I wrote him this letter in consequence of it—(*looking at one*)—I imagine I received the information as early as the 16th of May, by this letter—I began to be on bad terms with my father in the spring of 1828—I did not live with my father then, but between three or four miles off—after this difference I removed—I travelled about some time, and never afterwards resided in the county of Anglesea—I have not been to the house since that time, till I was at the funeral—I say that it is not likely my father would have signed with ink a pencil-writing, because he was a very suspicious man—I should think it very likely that he would give instructions for his will in pencil, because he was very often in the habit of writing memorandums in pencil—I cannot say that he wrote any memorandums of consequence in pencil, but he was in the habit of writing in pencil—I should suppose that he would write instructions for his will, in pencil, from what has been produced here to-day—if I had not seen this paper, I cannot say whether he would or not, from my knowledge of his habits of business—he was a very cautious man—I believe this letter—(*looking at the one dated 22nd of April*)—to be my father's hand-writing—I have had this pencil-writing twice before in my hand since I have been here, and I saw it at the Prerogative Court—I

can read the last line of it, it is "Williams"—i
is impossible to make out what the first word i
can read it—I can make out "Williams"—the
something over "Williams"—the "Williams,"
ther's writing—I have no doubt about it—I can
I should say that the "Williams" was the same
of the paper—I believe this (No. 9) to be m
I have not seen him write since 1828—I have
since that, in his own hand-writing—my young
the year 1828, after I left—I have not seen he
since her marriage.

MR. ATTORNEY-GENERAL. *Q.* What sort of
with Mr. and Mrs. Thomas Williams? *A.* On
think I spoke half a dozen words to Mr. Tho
at least since that marriage was in contemplatio
between us before the marriage—I received this l
it is signed by my father:—

"Plas

"DEAR PAUL,—Inclosed I send you 75*l.*, wh
knowledge by return of post. On Saturday
announcing the birth of your little boy—I co
event, and I am glad to hear that the mother and
hope they will continue to do so. I remain, dear

Q. What kind of feeling then existed? *A.* T
we were very good friends at a distance, we nev
of my father's illness I wrote this letter:—

(*This letter was here read, in which the witne*
the illness of his father, and stating that if he wis
come over.)

Q. Did you receive any answer? *A.* Yes, si
ton, but I destroyed it with a number of others—
thought fit to communicate my letter to my fath
and was not conscious of the dangerous state h
actly say the date of that letter, but it was severa
—my father died on the 26th of May.

Q. Now just look at this paper in pencil, (*N*
ference in the hand-writing of the whole of that;
of that to be your father's hand-writing? *A.* T
ment it is all my father's hand-writing.

RICHARD MATTHIAS PRIEST, Esq. I am cash
Bank, and am in the commission of the peace,
narvon. The deceased, Mr. Jones Panton, kept
years—at that time I inspected and paid cheques t
him write, but they were always received right i
letter, of the 22nd of April, 1834, to be Mr. Jon
—I believe this (scrip No. 9) to be his writing
to be his writing, the whole of it, both sides.

Cross-examined by MR. CLARKSON. *Q.* Have
before? *A.* I have twice, and twice only, the
aminer at Carnarvon, and at the Commons in
inspect them—I was there at least an hour, not r
Griffith Panton was with me, Mr. Thomas Willia
—I had not come to London with Mr. Paul Gr

at the New Hummums—he was introduced to me as Mr. Paul Griffith Panton—I had never seen him before—I was there first—I put up there, and our meeting was accidental—I had no idea of his coming—that was last Saturday morning week—Mr. Owen Owen came with me to the Hummums.

Q. Look at the last line of this, (No. 7,) can you read it? *A.* I can read "Williams"—I cannot make out the word before "Williams."

MR. ATTORNEY-GENERAL. *Q.* Just read out what you can? *A.* I can make out "Ella," I think it is—it is above "Williams"—as far as I can decipher, every part of it appears to be the same hand-writing—that of the late Jones Panton, I have not an atom of a doubt.

OWEN OWEN. I am a solicitor in Anglesea. I was acquainted with the late Mr. Jones Panton—I have frequently seen him write—I was some time in the office of Mr. Rowland, a solicitor, who was concerned for Mr. Jones Panton, at Beaumaris—I have frequently seen him write, but I have not corresponded with him—I am well acquainted with his manner of writing—I believe this letter to be his hand-writing—(*looking at the one dated the 22nd of April*, 1834)—and this scrip (No. 9) I believe also to be his hand-writing, and this also, (scrip No. 7,) I believe the whole of it to be his hand-writing—the last line appears to be "rest to etta," or "ella Williams."

MR. ATTORNEY-GENERAL. *Q.* Having seen the whole of that, do you believe the whole is the hand-writing of Mr. Jones Panton? *A.* I do certainly, I have no doubt at all in my mind—I have lived in Wales all my life—I know the customs of the people—it is a common thing for people who have learned to write, and can write, to make their mark.

Cross-examined by SIR WILLIAM FOLLETT. *Q.* Have you been employed as solicitor? *A.* No, my clerk has been subpœnaing some witnesses for the prisoner—the first time I saw these documents was before the Examiner in January at Carnarvon—I can see these words "rest to" well enough to form a judgment of the hand-writing—I can see them without a glass, but better with a glass—I can see it sufficiently well enough to form a judment without the glass, by very close inspection—the word "Williams" appears to me to be spelt "Willims"—in another part of the same paper the word "Williams" is spelt properly.

MR. ATTORNEY-GENERAL. *Q.* In the last "Williams," are the letters distinctly marked, or do they run one into another? *A.* They run one into another—with the minute inspection that I have made with the naked eye and with the glass, I have no doubt that the whole is in the hand-writing of Mr. Jones Panton.

HUGH SAMUEL. I am a painter, living at Manchester. I knew John Williams, who was in the service of Mr. Williams, of Brynbras—he is dead—William Jones was his father—I went to school at Mr. Pritchard's, at Bangor—John Williams was at school with me from twenty-four to twenty-five years ago—he could write—I have frequently seen him write—he had very large teeth growing out—I was in the same class with him.

Cross-examined by MR. CLARKSON. *Q.* How old are you? *A.* Thirty-four—the last time I saw him at school was from twenty-four to twenty-five years ago—for the last ten years I have been between Wales and Manchester—I cannot say that I was ever at the quarry at Llan-rigg—I have been two years out of Wales—I cannot say when I last saw John Williams, within a month, or two, or three, but it might be somewhere about six years ago—I have seen him write a copy at school—it was large hand—I can write better now than I could then—I do not know how old I was

—I cannot tell in what year I left Mr. Pritchard—John Williams was there from twelve to eighteen months—I cannot tell who left first—he was rather older than me—I went very young—they carried me there—I went there before I was eighteen months old, but when John Williams and I were at school together it was twenty-four or twenty-five years ago—I was at school in the year 1815—I do not remember how long I staid—I was there three years, and off and on, at different times—I was there about five, six, or seven years—I cannot say what age I was when I first went—I was ten years old when I first went—I cannot say whether I was more—I was not fifteen—I was fifteen when I left—after I left Pritchard's I went apprentice to a man of the name of Davis, at Bangor, not directly I left school, but in a couple of months—I was about fourteen when I first became apprentice—I have seen John Williams writing the copies we used to have at school, "Command yourself," and "God save the King," and so on—I have seen him write his name—I cannot fix on what occasion—we have been writing both together—he has been writing his name in my copy, and I wrote my name in his copy-book, or on a deal board that we had—I have seen him write within the last twenty-five years.

Q. When did you ever see him write? *A.* I am wrong, I have not seen him write since we were in school together—there was no other person of the same name in school, not from the ferry—there was no other John Williams there whose father was William Jones—I swear that—I was applied to at Manchester about this, by Robert Williams, the clerk to Mr. Hughes, last Monday week, not before—he asked me, did I know of a person of the John Williams—I told him I had been with John Williams—he asked me had I been at school with him—I told him I had—John Williams whom I went to school with, and the son of the ferryman, William Jones, is not alive now—I have not seen the John Williams who was the son of the ferryman—not the John Williams I am called here upon.

Q. Will you swear you have not, within the last six months, seen John Williams, the son of William Jones? *A.* No—nor for nine months, nor for twelve months—it is between six and seven years ago since I last saw John Williams, the son of William Jones, that I was at school with—I have not seen him since, to the best of my knowledge—I have not seen him the last two years—the last time I saw him was at Bangor ferry—that is between six and seven years ago—I have not seen any John Williams, the son of William Jones, for the last two years.

MR. ATTORNEY-GENERAL. *Q.* Was that the John Williams that had the projecting teeth? *A.* Yes, and he was the son of William Jones, of Tyn-Llidiart—(*it is usual in Wales to place the surname before the Christian name.*)

EVAN PRITCHARD. I live in Bangor. My father's name was William—he was a schoolmaster at Bangor—I knew a boy in my father's school of the name of John Williams, the son of William Jones, the ferryman—his front teeth projected out rather—that is about twenty-five years ago—I remember the boy—he was learning to write, but I do not remember that he could write—he was only about a month, in my time—I left before him—I was in the class above him—it is four or five years since I have seen him—I have heard he is dead, but I do not know it—I have not seen his corpse, but the "renown" of the country is that he is dead.

SIR WILLIAM FOLLETT. *Q.* What was his father's name? *A.* William Jones—he was ferryman there—there was another William Jones, a ferryman there—they both had sons, but one was called John Jones, of Bangor ferry, the other, John Williams—I do not remember that they were both there together—John Jones was a long time at school with me, at Tyn-Llidiart.

JOHN PARRY. I knew John Williams, who was in the service of the prisoner—I had known him from twenty-five to twenty-six years—he was the son of William Jones, of Tyn-Llidiart—I was at Mr. Pritchard's, at Bangor—I do not know how long ago—it was from twenty-five to twenty-six years—I saw him having a copy, but cannot speak as to his capability of writing it—I never learnt to write—he was in a higher class than I was—he was in a class which learnt to write, or he would not have had a copy-book—I saw him having a copy-book, but I cannot speak as to his capability of doing any thing in it.

Cross-examined by SIR WILLIAM FOLLETT. *Q.* How old are you? *A.* Thirty-seven—John Williams was the eldest—I cannot tell how long I was at school with him—six months, or less—I recollect another person who was the son of William Jones, a ferryman—he was called John Jones.

JOHN DANIEL. I knew the late John Williams, who was servant at Brynbras—I have known him for twelve years, and more—I know he could write, because I saw him—the first time I saw him was on a slate, at the quarry—I have seen him write his name with a nail, at another time with a stone pencil—that was Lord Newborough's quarry—he wrote, for me, a line to go to Mr. Williams's, at Brynbras, as John had a slang of land from Mr. Williams—I took that line to Mr. Williams, of Brynbras—he lived then at Beaumaris—I saw John Williams write that line, in my house—I delivered it to Mr. Thomas Williams, in his parlour—I had some conversation with him about it—Mr. Williams kept it then—I do not know what he did with it afterwards.

Cross-examined by MR. CLARKSON. *Q.* How long ago was this? *A.* It is more than five years back—I was then living at home, and working at the quarry—there was only one John Williams working with me—there were many other John Williams's, in other gangs—I live within two miles of the quarry—the line that I took from John Williams, to Mr. Williams, of Beaumaris, was written on paper—it was a bit of a letter—it was not on a sheet of paper, it was a piece of paper, and sealed—I saw him write on the paper before it was sealed—it was a very few words—he was acquainted with Mr. Williams, and I did not know him—the contents of the letter were for Mr. Williams to come and give a lease on the piece of ground, the same as John Williams had, for me—I was married—I could write middling well, but not enough to write a letter, and he knew Mr. Williams better than I did—he could not write a free hand, but he could write better than I could.

WILLIAM JONES. I am a stone-mason, and worked at Brynbras Castle. I knew John Williams—it is eight years next August since I first went to work at Brynbras—he came two years after me—he could write—I kept the labourers' accounts—I have seen him write—he signed bills for me to get money from my master—he wrote his name—I have seen old Mr. Panton at Brynbras.

Cross-examined by SIR W. FOLLETT. *Q.* When did you see him there? *A.* I cannot say when I first saw him, nor how often, as I was from there occasionally—I have seen him more than once or twice—I last saw him twelve months ago last summer—I had money from my master, and Williams signed the bills for the money—my master paid the money on the bills that John Williams wrote for me—he always signed his name—I cannot tell how often—it was many times—I have not taken so much notice it was so often—I never saw him make a mark—I cannot say how many years I have been with John Williams, as I have been away from there—I

have not taken notice of what length of time I was with him—I have been three years—perhaps more—I cannot say to a day—I have been two or three years away from Brynbras—I was there again afterwards.

COURT. *Q.* Do you know his hand-writing when you see it? *A.* I am not so well acquainted with writing myself—I can write.

EVAN JONES. I am a stone-mason, and live at Llan-rigg, that is near to Brynbras, less than a quarter of a mile. I knew the late John Williams—he had been in the service of Mr. Thomas Williams, of Brynbras—he has been dead two years—I know he could write—I have seen him several times—this paper is my hand-writing—I saw John Williams sign that at the time that Mr. Williams was paying money for work that I had done—I saw him sign both these signatures—(*looking at them*)—I have seen him sign his name on other occasions besides when he signed these papers—to the best of my judgment I believe this is John Williams's hand-writing—(*looking at scrip No.* 1)—and this also, to the best of my knowledge, is his hand-writing—(*looking at No.* 2.)

Cross-examined by SIR W. FOLLETT. *Q.* On what occasion did you see John Williams sign this paper? *A.* At the time I was settling my wages with Mr. Thomas Williams—the name of John Williams was put to this paper, that he might be a witness that Mr. Williams paid me the money that I received for my work—this other part is a receipt for work from me.

Q. What is the meaning of the signature of John Williams? *A.* That Mr. Williams had paid me money—I received the money from Mr. Williams—the body of the paper is Mr. Thomas Williams's hand-writing—I cannot tell at all to a certainty why the name of John Williams is there—I should think to the best of my knowledge that the writing above "Ellen Evans" is the hand-writing of Ellen Evans—I think I can swear that I saw John Williams sign both parts of this receipt—I will swear to this one—I have seen him write on other occasions—I never saw him sign his mark—I have seen him sign his name several times—I cannot recollect how often.

MR. ATTORNEY-GENERAL. *Q.* Do you recollect, on the 7th of March, 1835, that you yourself received 4*l.* 19*s.* 6*d.*? *A.* I did, for work done for Mr. Thomas Williams—Mr. Williams himself paid me—John Williams was by—I signed my name on the receipt, and then saw John Williams sign his name as a witness.

ANN WILLIAMS. I am the widow of the late John Williams, who was servant to Thomas Williams, of Brynbras. I have seen him write—I have got a Bible and two Testaments in which he has written his name—(*producing them*)—I am able to say that these were written by my husband—I saw him write them—the top and bottom of this page is his writing—I saw him write in all these books.

Cross-examined by MR. PHILLIPS. *Q.* Was not he very fond of writing his name? *A.* He was—I have no more books than these three—I cannot say whether there was anybody present when he wrote besides our own household family—there is now only myself, my mother, and the boy—the boy is fifteen years old—I have not got a daughter alive—we have but one room—I cannot say how long ago it is—it might be five or six years ago—he wrote sometimes at night, sometimes on Sunday—just as it happened—I had no daughter of the name of Ann Williams—my son went to school—he can write a little—there was a person of the name of David

Ellis lodged with us—I do not know that I ever showed the Bible to him—I cannot be certain that I did or that I did not—I really cannot say that I ever pointed out the name of my husband on that book—I do not remember that I ever did—I will not swear I did not—I did not tell David Ellis that all these names were written by my son—I do not think I did—I never told David Ellis that the name of John Williams was written by my son—I never told him that any of the names I pointed out to you were written by my son—I do not think there is any one written by my son, except his own name, and that is quite distinguishable—this is it—it is his own name, Robert Williams—I really cannot say that I showed this to David Ellis, and told him it was my son's writing—I have no recollection that I did or did not—I never pointed out to David Ellis the name of John Williams, as written by my son—I never told David Ellis that my son had written the name of John Williams, though he had been only nine months at the national school, and had lost some weeks—all this page of this Testament is my husband's writing, with the exception of these three letters, which are in ink, all the rest are in pencil—these three letters are the boy's writing—I think this Welsh writing is the hand-writing of William Foulkes, the son of Foulkes, the singer—I cannot say certainly who wrote the name of Ann Williams in ink, but I am inclined to think that it is the boy's—there is none of the writing which I have been showing to you which are the boy's writing, but they are my husband's own hand-writing.

Q. Were not all the "John Williams" and "Ann Williams" on this page written by the boy? *A.* These are not, the pencil ones are not, but I cannot say as to this or this—the boy was not allowed to write in the books—he used to have pieces of paper to write on—I do not know whether the Ann Williams, and the second John Williams, were written by my son, but I believe they were—I did not wish him to dirty the books.

Q. Now look at this Testament, in whose writing are these names? *A.* I cannot tell—it is not the boy's writing—the boy's name is Robert Williams—I think this was his father's book.

Q. Look at this "Robert Williams, his book," is not this your son's writing? *A.* I do not know whose it is—it is not the boy's.

Robert Williams. I am the son of the late John Williams, and am fourteen years of age since All Saint's day. My father could write—I have seen him write—there is some of his hand-writing in this Bible—here it is, every where almost—I have seen my father write in this Bible—there is some of my father's writing in this Testament—this is it—(*pointing it out*)—there is some of my father's writing in this other Testament.

Cross-examined by Sir W. Follett. *Q.* Can you write? *A.* I can write my name somehow—I cannot write any thing—my Christian name is Robert—this Testament was my father's—I can read the name that is written in this page, "Robert Williams"—that is not my father's writing—I think it is David Ellis's—he wrote these two names, and I think in some other parts—I am not sure that I saw him write in this book, but I saw him write in some others—this "John Williams" is my father's writing, and the other "John Williams's"—my father wrote all on this page—there is only these three letters of mine—there is some of my writing on this page of this Bible—it is this "John Williams," "Ann Williams," and the "John Williams" below—I made this "J," and my father made the rest of the word, "John Williams"—I am not sure that I saw him—I made this letter—I saw my father make his name on many things.

ELLEN EVANS (*a prisoner.*) Before I was brought to London I was in the service of Mr. Williams, Brynbras Castle, and had been so five years come the 20th of next month, as Mrs. Thomas Williams's maid. I went to Brynbras Castle the day I went to their service—that would be in the month of May, 1833—I remember, in that May twelve-month, Mr. Jones Panton being at Brynbras—he staid there three or four days, and one Saturday morning Mr. Williams told me, before I went to Carnarvon that he should want me and Ann Williams to witness Mr. Panton's signing a paper—Ann Williams was present—I went to Carnarvon market—John Williams drove me there—he told me, on his way back, that he thought master was going to witness Mr. Panton's will—I do not recollect whether John Williams was present when my master told me—I returned, between twelve and one o'clock, from Carnarvon market—the family had lunch after I returned—after lunch my master called us three up stairs, Ann and John Williams, and myself—my master had asked me for a candle before that—I took up a lighted candle—I do not think that was quite ten minutes before we were called up—we all three went up stairs, into a small sitting-room—I saw there Mr. Panton and my master—I know nothing more respecting the day, but I know it was on a Saturday, because of my going to Carnarvon market—my master was standing up at the table, and Mr. Panton was sitting at the table, in an arm-chair—the paper that I signed was on the table—it was open—the candle was upon the table, and Mr. Panton's watch and a stick of sealing-wax—my master told us, in Welsh and English, that Mr. Panton wished us to witness his signing that paper—John and Ann Williams did not understand English so well as I did—my master was never in the habit of addressing myself and Ann in Welsh, but sometimes he did John Williams—Mr. Panton then signed his name on the will—I could see it was written, because I stood behind Mr. Panton's chair—it was ink writing—when Mr. Panton signed the paper he put his finger on the seal—the seal was on the paper before I went up stairs—he put his finger on the seal, and delivered it as his last will and testament—Mr. Williams said something before Mr. Panton—he said those words before him, "I deliver this as my last will and testament"—I witnessed it next, at my master's request, at the side-table—I signed my name to it—Ann Williams signed it, and John Williams signed it—Mr. Panton saw them sign it—when I was standing behind Mr. Panton's chair, and looking at the paper my master did not say any thing—he covered the paper over when I was going to sign my name—he saw I was reading it—before that was done I distinctly saw that it was written in ink.

Q. Look at the signature "Ellen Evans," to Scrip, No. 6; is that your signature? *A.* It is—this is the signature of Ann Williams, and that is the signature of John Williams—that is the signature of Mr. Jones Panton—I saw them put their names to that paper on the day I have mentioned, but it was not in the same state it is now—when Mr. Panton and we three had signed it we all went down stairs—Mr. Panton was next at Brynbras Castle the November following—he remained four or five days, on that occasion, at Brynbras—while he was there, on that occasion, my master, Mr. Williams, said he should want me to witness Mr. Panton's signing a paper again—he said Ann and John Williams and I would be wanted—he told me to go and tell John to dress himself to come down—he did not live in the house—he lived a field off—I went to his house to give him that message—he came to the house—I was called up stairs between two and three o'clock—I cannot fix the day—it

was in November—I was called up stairs into the same room, the small sitting-room—my master and Mr. Panton were in the room—I witnessed a deed—Mr. Panton was sitting at the table—there was a parchment on the table—Mr. Panton signed it—my master then said that he acknowledged it as his act and deed—Mr. Panton then said the same words after him—I then signed the parchment, and my master signed it—this is the parchment—(*looking at it*)—that is my signature, that is Mr. Panton's signature, and that is my master's—I saw them sign that deed as it is now—when that deed had been signed by my master and myself, it was folded up and put by—there were two parchments —Mr. Panton signed both, I signed both, and my master signed both—they were then folded up and put on the table—my master then told us that Mr. Panton wished us to witness the signing of that paper, which was the will—it was on the table—Mr. Panton signed it, and then said he delivered it as his last will and testament, then I signed it, and Ann, Williams, and John Williams signed it, at my master's request—Mr. Panton then said something to my master—I do not know exactly what it was, but the substance was, he asked my master if he was going to sign that too—my master said, "No, sir, I am a good witness to that, but not to this"—I could see the will, I could see the writing was in ink, I could see it distinctly—on the following day I was called into the little parlour down stairs—Mr. Panton and my master were there, no one else—when I went in, my master was standing in the parlour, and Mr. Panton was sitting down at the table—there was a paper on the table—it was exactly the same, as far as I could see, that I had signed the day before—Ann and John Williams came in, they were called in—Mr. Panton then signed his name to the paper—he said that he delivered it as his last will and testament—he put his finger on the seal again—I then signed it, and so did John and Ann Williams, at my master's request, in the presence of Mr. Panton—as I was leaving the room, my master said that Mr. Panton said he wished us not to be talking about it—Mr. Panton left Brynbras in about an hour after that—he went with my master and mistress in the carriage.

Q. Look at the paper, No. 1, is this your signature? *A.* It is—that is the signature of Ann Williams, and that of John Williams and Mr. Panton —they all signed that day.

Q. Now look at No. 2, is this the one that was signed on that day you have mentioned? *A.* Yes, sir, both the same—I cannot distinguish which of these two I signed first—Mr. Panton came there twice in a year —I recollect his being there in October, 1836—he came at stated times, after he came from Darwin Hall, and before he went—that is an estate that he had in Denbighshire—I recollect his being at Brynbras in October, 1836—I recollect, while he was there, my master calling me into the library —when I went in, Mr. Panton and my master were there—Mr. Panton was sitting at the table, reading the paper that I afterwards signed—as I went into the library my master said to Mr. Panton, "Ellen thinks herself very clever, in coming to be your witness so often, sir"—Mr. Panton did not say any thing to that—he looked at me—he put down the paper he had been reading and signed it—there was a seal to it—he said he delivered it as his last will and testament—I then signed it, at my master's request —Mr. Panton saw me sign it.

Q. Look at the scrip No. 3, is this your signature, "Ellen Evans?"—*A.* It is—I do not know the day that I signed it, but it was on the occasion

of my master calling me into the library in October, 1836—the paper was opened as it is now—it was written in ink, the same as it is now.

Cross-examined by SIR WILLIAM FOLLETT. *Q.* You have been living five years with Mr. Williams? *A.* Yes, the whole time at Brynbras Castle—there is a dining-room on the ground-floor, and a drawing-room—the room I first went into to witness these papers was the sitting-room, before the new rooms were made, which my master occupies now, on the ground-floor—not the same that there are now—there is a drawing and dining-room, and a small room up stairs—I witnessed the second in the little room up stairs, and the other in the breakfast-parlour below, and the other in the new library, on the ground-floor—I am acquainted with the hand-writing of Mr. Jones Panton—I never saw him write, but on those occasions—I have seen his writing besides, there were notes coming to my mistress—I knew his hand-writing—not many notes came—I cannot tell how many in the course of a year, one or two, and I have seen his writing in a note to my master, which came to Brynbras—I cannot tell when—my mistress has shown me some notes in her father's hand-writing—I cannot tell when—I recollect one note coming to my master a good long time ago—I do not recollect the day of the month on the first occasion, when I went to Carnarvon-market, it was on a Saturday—I only witnessed one paper on that day—there was no other paper at that time there—I am quite sure about that—I am quite sure I only witnessed one on the 31st of May—on the 6th of November, when I signed the parchments, I only signed two—I will swear that, and one paper—I remember it—I did not witness four—I witnessed two large parchments, and one paper—it is four years ago—I remember the conversation, and all that took place, accurately—I witnessed other papers for my master, at different times, I do not know what they were—Mr. JonesPanton was never in the house, but I witnessed a paper—I do not know whether I have witnessed any respecting his affairs—my master never asked me to witness a pencil writing, or copy of a pencil writing—I will swear that.

Q. Look at this scrip, No. 7.; did you ever see this pencil writing before? *A.* I did, at Mr. Wadeson's—I saw it before that at Child's bank—no copy of it was made then—my master showed it to me—I witnessed no copy of it then—I never saw it any where else, but at Mr. Wadeson's and Child's bank—I never witnessed any copy of any writing.

Q. Look at this, No. 9; did you ever see this before? *A.* Yes, at Child's bank, my master showed it to me, to put my initials on it with Mr. Boyce—I made no copy of it, nor did he—I never saw it before I was at Child's bank—I witnessed no paper at all at Child's bank—I know Elizabeth Evans, who was kitchen-maid at Brynbras—she was not in town—she was not with me at Child's bank.

Q. Look at this signature, and tell me if it is yours?—(*producing a paper.*) *A.* It is my hand-writing, and this also (*looking at another paper*) is my hand-writing—I never saw the pencil writings at Brynbras—I never saw them with Elizabeth Evans—I never saw them till I saw them at Child's bank—that was last winter twelvemonth, January, 1837—I took them to the bank—I know Elizabeth Evans's hand-writing—this is her hand-writing—(*looking at a paper*)—she had been in Mr. Williams's service two years—she was not acquainted with the hand-writing of Mr. Jones Panton—I put the letters "E. E." to a paper when my hand was bad, at No. 1, Nottingham-place—I wrote with my left hand—I put my name to it at Brynbras—that was after I had put my initials to it—my master desired me to put my name to it, and my master desired Elizabeth Evans

to put her name—I had no notion of what I had put my name to, but my master desired me.

Q. Now look at this signature at the other part of the paper; do you see Elizabeth Evans's name? *A.* I do—it looks like her writing—I should think it was hers—I saw her write her name at the time I did it—I observe my name is written twice—I do not know why I put my name the second time—I do not recollect it—my master told me to put my name a second time.

Q. Now look at these two signatures—the letters "E. E. are put; did you sign that with your left hand in Nottingham-place? *A.* I do not recollect it—I do not know what I witnessed that second time—my master did not ask Elizabeth Evans to put her name to that paper—he called her in to witness me putting my name—I wrote on it because I had written on it before with my left hand—I do not know what I meant to attest—I do not recollect that I had read the paper to which I put my name.

Q. Just read it now?—(*the witness did so.*) *A.* I do not recollect that I ever read it before—I should not like to swear it, but it is so long ago I do not remember it—yes, I do recollect reading it before at Mr. Wadeson's, or one like this—I read the upper part—I do not recollect the upper part just above my signature—I read the pencil writing in Mr. Panton's writing—Elizabeth Evans was called in to witness my signature only at Brynbras.

Q. You say you only witnessed two parchments on the 6th of November; look at this other parchment, and see if your name is written to that? (*producing another parchment.*) *A.* Yes—I am not positive that I only put my name twice on parchment that day—I cannot recollect well enough to be able to say whether I put my name on two papers that day—Mr. Panton said, after my master, that he delivered it as his last will and testament—he signed only two large parchments, no little one—I have not stated that I did not know whether he said his "last will and testament," or his "act and deed"—my master covered it with blotting paper the first time I was going to read it—when he covered the paper, he told me to sign my name—I remember something being said about Mr. Hurlock—my master did not say, "What a deal of trouble Mr. Hurlock gives"—I cannot tell what was said—on the 6th of November, when Mr. Panton signed the paper, he did not say, "What a deal of trouble Hurlock gives"—I cannot tell what he said, but he did not say what you have asked—when he mentioned about Hurlock, Ann Williams was there, and John Williams—I mentioned that I had signed the will on my arriving in London, but not before—I did not mention it to any one in the neighbourhood that I had signed it—I do not recollect that I did, because I was told not as I was going out of the room.

Q. What you stated just now was the second time; were you told so the first time? *A.* Yes—Mr. Panton wished us not to be talking about it—I did not state that I saw him sign any parchments—when I came to London was not the first time I talked about it—I talked to Ann about it when I was going down stairs after I did it; but after that I did not talk to anybody about it till I came to London last year—the first time I came to London was when I came up to Doctors' Commons—Mr. Panton did not say what a deal of trouble Hurlock gave—I never said so to Mr. Dodd or Mr. Tyers—I said he said something about Mr. Hurlock, but I could not tell what—when I was going out I left my master in conversation about Mr. Hurlock—there were not many papers on the table—I witnessed another paper in November—I recollect the month, because it was a little before we

came up to town—I came up to town in November, 1836, with my master and Mr. and Mrs. Lewis—we staid in town all the winter—I was in the library in November, when I witnessed the paper—I have a distinct recollection of that, and Mr. Panton delivered it as his last will and testament—I had some conversation with my master about this at Doctors' Commons—I had not told him what I could prove—my master and mistress brought me to town—he asked me whether I recollected taking papers to Child's bank—he did not ask me whether I recollected Mr. Panton signing his will—he never asked me any thing about it, not at any time—I have had no conversation with Ann Williams about this—I have been in the same room with her—I cannot say that I have not been speaking with her on this subject, but not more than I knew she knew, and she knew that I knew—in going down stairs, I said, "I wonder what Mr. Panton has given my mistress"—she said she did not know—that was the first time of all.

MR. ATTORNEY-GENERAL. *Q.* From having seen Mr. Panton sign these papers, and having seen notes, you know his hand-writing? *A.* Yes—I believe this pencil paper (No. 7,) to be his hand-writing—(*looking at it*)—when I saw these papers at Child's, I did not look at them—I saw them there, and put my initials on them—I saw them at Mr. Wadeson's—I read them there—a copy was made of them then—my master was writing a copy of them—my master lodged at Nottingham-place—I do not recollect whether it was after I saw these papers at Child's, that I put my initials—at the time I put the initials I was not able to write with my right hand—I had recovered the use of my hand before I signed these papers at Brynbras Castle—Elizabeth Evans was present—I then signed my name in full—I see the name of Ellen Evans on this parchment—(*looking at it*)—that is my signature—I do not recollect when I signed that—there were two large parchments.

ANN WILLIAMS (*a prisoner.*) I was in the service of Mr. Thomas Williams, at Brynbras. I entered his service in May, 1833—I lived there three months, and then left—I had learned to write—I was at school—I left the service, and came back again in May, 1834, and remained twelve months—after I came back, in 1834, I recollect Mr. Panton of Plasgwyn being at Brynbras, upon a visit to my master and mistress—I recollect while he was there, being called one day to go up to witness a paper—I do not recollect what day of the week that was—John Williams and Ellen Evans were called up along with me—we went up stairs into the drawing-room—Mr. Panton and Mr. Williams were in the room—Mr. Panton was sitting by the table—there were some papers on the table, a candle, and Mr. Panton's watch, and I believe there was some sealing wax—when we came in, my master said that Mr. Panton wished us to witness him signing that paper—Mr. Panton was sitting, with the papers before him—he, signed a large paper, and Ellen Evans signed it, and Mr. Thomas Williams—I do not recollect any thing Mr. Panton said—then these were put by, and he signed a will—after he signed it, he put his finger on the seal, and delivered it as his last will and testament—then the paper that was before Mr. Panton was brought to us at the side-table—Ellen Evans, myself, and John Williams, signed it at the side-table—Mr. Williams said that Mr. Panton wished us to sign it—we all three signed it, in the presence of Mr. Panton—this is my signature—(*looking at it*)—I signed this on the occasion I have mentioned—I saw Mr. Williams, and John Williams, and Ellen Evans, sign that paper—it was not in the state it is now—it was a large paper—I recollect Mr. Panton being at Brynbras castle again, the same

year, in November—while he was there, I was again called on to witness some papers, with Ellen Evans and John Williams—we were called to the same room—all three were there, and Mr. Panton and Mr. Williams—I believe it was about two or three o'clock—Mr. Panton was there, and Mr. Williams—it was then that the parchments were signed—I was mistaken. it was not in May that the parchments were signed, it was in November —there was nothing signed except the will in May—there were one or two parchments signed in November, I cannot tell what—they were signed by Mr. Panton, Mr. Williams, and Ellen Evans—they were such parchments as this—(*looking at one*)—after the parchments had been signed by Mr. Panton, Mr. Williams, and Elizabeth Evans, Mr. Panton signed the will—having signed it, he put his finger on the seal, and delivered it in the same way, as his last will and testament—then Mr. Williams put it on the side-table for us to sign—we all three signed it, in the presence of Mr. Panton—he got up from his own table, and looked at us signing it —I then left the room, and went down stairs—I was called upon next day to sign some papers, and Ellen Evans and John Williams—we three went into the small parlour—Mr. Panton was there, with a paper on the table—Mr. Williams was there—Mr. Williams said that Mr. Panton wished us to witness him signing that paper—Mr. Panton signed it, and then he put his finger on the seal, and delivered it, as his last will and testament—Ellen Evans signed it, and then I signed it, and John Williams—we all three signed, in the presence of Mr. Panton,

Q. Now look at the signature to this paper, (the scrip No. 1;) do you see the signatures of Mr. Panton, Ellen Evans, John Williams, and your own, put to this? *A*. Yes—they signed it in my presence, I cannot tell who signed it first.

Cross-examined by Sir William Follett. *Q*. Which of you signed the names first? *A*. Ellen Evans, and then myself, and John Williams—he signed his name quickly—I dare say he was longer about it than Ellen Evans—I cannot say it was any longer, as I did not take notice of the time—I had seen him write his name very often—he was in the habit of writing his name a good deal—he was not in the habit of putting his mark —I never saw him write, but writing his name—he wrote quickly—I do not know whether he could write better than me—he signed his name last.

Q. On the first occasion in May you said there was a large paper signed before the will? *A*. No, there was not—there was in November—I mean the parchment—I am sure there was no paper signed in May, but the one I witnessed, not in my presence—I knew it was Mr. Panton's will, and I talked about it going down stairs—Ellen said to me, she wondered what he had left my mistress—we have not reminded one another of that—I never thought of it till you reminded me of it—I have not talked to anybody about it since—I recollected it the moment you mentioned it—I and Ellen have not talked about this since we have been in town—we have talked about witnessing the will—we could not tell why we were in prison about it, no more than that—we have not talked about our having witnessed it—we have said nothing to one another about going up on two different days, once in May, and once in November, about witnessing this paper, except in the prison about it—I mean to swear that—we have seen one another every day, and been together all the day—we have said we could not think how they could bring us to prison about it—we have not said to one another that we went up into the room and witnessed the paper on the 31st of May, or signed one again in November—I have not said what I re-

collected about it—we recollected it well enough, and therefore we did not talk about it at all—I recollect the first signing was in May, because it was a few weeks after I went to the place, which was the beginning of May—I know the second was in November, because it was a few weeks before my master and mistress went to town, and left me at Brynbras—I do not remember the day of the week, nor the day of the month, not either times, and I have not asked about it—the first time I went up in the drawing-room—there was but one drawing-room up stairs, all the others were bed-rooms—I recollect going up stairs on the occasion—I do not recollect any thing being said about Mr. Hurlock—I heard his name at Guildhall—I do not know that I ever heard his name at Mr. Williams's house—I do not remember any thing being said about his name in November—when I signed my name, Mr. Panton asked Mr. Williams if he was going to sign it, he said, "No, I am not"—I do not remember his saying, "These three will do"—I do not remember that I heard Mr. Panton say on the 6th of November, "I deliver this as my act and deed"—I do not remember whether he signed more than one parchment—I do not remember that I heard him say, "I deliver that as my act and deed," as I was standing by the door—I do not remember that I heard any thing about "act and deed."

Q. Do you know whether what you heard was, "I deliver this as my act and deed," or "last will and testament?" *A.* It was "last will and testament," the one that I signed—the words that Mr. Williams said for Mr. Panton to say were, "I deliver this as my last will and testament"—and Mr. Panton said, "I deliver this as my last will and testament"—Mr. Williams said nothing after that—I am sure, about the words, and Mr. Panton repeated it after him—I did not see him seal it—I saw my master covered one paper over, but not the whole over, with a piece of blotting-paper, but when I signed it, it was all open—he signed it in May—I saw writing all over it—I did not read it, I did not try—I could see the words plainly enough—I knew at the time what they were—I did not read them—I thought it was Mr. Panton's will—I saw some of the words, but I did not take notice of them—I did not know any of the words that were there—I did not at the time read a single word of it at all—this took place, once in May, the other in November—Mr. Panton was in the house on both occasions, staying three or four days—he went away the same day as he signed it—the last day he signed it in November—I cannot say whether he was there for some days in May—he was there a night—there was no servant with him, he was quite alone—I believe I saw his carriage and servant there on one of these occasions, but I do not know which—I have not seen Mr. Panton since—I left in May, 1835—I have not returned since—I have been living since in several places—I lived six months in Tyn-y-maes, and with Mr. Jones's brother.

Q. After you saw the papers signed in May, did you see Mr. Panton at Brynbras, before November? *A.* No—I do not remember that I did—I did not see him after November there—Mr. Williams went away up to London, and I was left by myself up to March—I had never put my name to any thing before—this was the first time of my being a witness—there was no servant in the house but Ellen Evans and myself.

(*The commissions and proceedings in the Prerogative Court were here put in.*)

Adjourned.

(Friday being Good Friday, the Court did not sit.)

Saturday, April 14th, 1838.

The Queen against Thomas Williams.—(Continued.)

THOMAS OWEN. I am now in the service of Mr. Thomas Williams, the prisoner, and have been about four years, as coachman. I remember the Sunday before Whitsunday last year—on the morning of that day my master was at Brynbras—we left Brynbras on that morning in an open phaeton—I drove him to Plasgwyn—nothing happened to us on the road—there is an iron gate near Plasgwyn, near a door—the iron gate is close to the road—it leads up to the front of the house—when the carriage got to the iron gate, Mr. Thomas Williams alighted down, and went to the front—I saw him—I alighted myself to hold the horse's head while he got down—I went to Rhuulas—that is the residence of Mr. Gitten Williams, the prisoner's brother—I took the phaeton there—I saw Mr. Thomas Williams at Rhuulas, between two and three o'clock—we stopped there till the evening, and then went home to Brynbras—I saw Mr. Barton Panton on the road that day, a considerable number of miles from home, and about twelve miles or thereabout from Plasgwyn—he met us at Clay-lane, about a mile or so from a bridge called Port Rig, between ten and eleven o'clock, as we were going from Brynbras to Plasgwyn—Mr. Bettis and Mr. Price were with him—Mr. Thomas Williams spoke to one of them—I do not know which—they answered him—that place is on the road either to Carnarvon or Penross—I recollect Whit-Monday—My master and I left Brynbras that morning, and went to Plasgwyn—I drove the phaeton on that occasion—the phaeton drove up to Plasgwyn—we went to the iron gate, as we always used to go—I cannot say how long Mr. Williams remained there—he came in the evening, as usual, to Rhuluas—he and I returned that evening from Rhuulas to Brynbras—I saw my master alight at the iron gate at Plasgwyn, and go through the gate towards the front door.

Cross-examined by SIR WILLIAM FOLLETT. *Q.* Are you still in the service of the prisoner? *A.* I am—I have not been examined about this before—I did not attend before the examiner at Carnarvon, nor before the Magistrate—this is the first time I have given any account of it—there is a road inside the iron gate, which leads up to the house—not a carriage road through that gate—they go on foot through that gate—there is a road going from the gate beyond it, which is the nearest, but not through that gate, there is no carriage road through that gate—the gate that my master used to go through, was the gate Mr. Panton used to come through in coming from the front of the house—the iron gate is the nearest to go to the front of the house—it is the gate Mr. Panton used to go through—I have often driven my master to Plasgwyn before—I did not put up the horse and carriage at the house when I last lived with him—they would not allow us to put them up there within the last three years—I have driven my master several times to Plasgwyn during the last three years—the first time I speak of was rather a dull foggy day in the morning—it did not rain—I know it was the Sunday before Whit-Sunday, because Whit-Sunday is a very great holiday in Wales—Whitsuntide was a week after the time I have been speaking of—we met Mr. Barton Panton, Mr. Bettiss, and Mr. Price, twelve miles from Plasgwyn, on the Sunday before Whit-Sunday—they were on horseback—it was between ten and eleven o'clock in the morning—I am quite certain that it was on the day I put my master down at the iron gate that I met them at this place—I have often myself been in the house at Plasgwyn—I cannot say whether the

front door was kept locked, and whether it was necessary to ring to gain admission—I cannot say that it was always, or generally shut—the iron gate opens to the front of the house—I do not mean the gate of the lodge—I cannot understand a plan—the iron gate opens into the road which leads up to the front—it opens into the park—it is a gate in the road that opens from Mr. Panton's carriage-road, up to the house—it is necessary to get to the iron gate to pass through the lodge gate leading to the park—I got down and opened the lodge gate that day myself—I cannot know whether there was any one in the lodge—we shouted out—you must pass the kitchen window before you get to the iron gate, and the windows of the other rooms in the house—I did not see any of the people of the house as I went to the house, nor when I drove back—I went back immediately to Rhuulas—I went through the farm yard to Rhuulas—I did not see anybody, or take notice of anybody—I saw my master about three o'clock, at Rhuulas—I left my master at Plasgwyn about one o'clock—Rhuulas is about a quarter of a mile from Plasgwyn.

MR. ATTORNEY-GENERAL. *Q.* Is there a road that takes to Rhuulas when you enter the lodge gate at Plasgwyn? Yes, certainly—my master used to go by Plasgwyn to Rhuulas, and always called there—I cannot say exactly whether that is a nearer way to Rhuulas than by the high-road, but I should think it is a little nearer—during the last three years that I have been with Mr. Thomas Williams I never put up the horses at Plasgwyn—I had always put them up there when I lived with Mr. Thomas Williams before—we did not put them up there, because Mr. Barton Panton would not allow us to have oats or any thing for the horses, therefore it would not do to put them up there—the iron gate is for persons that are going on foot to the front door—that used to be the way that Mr. Panton always came out with my master and mistress—I am quite certain that the day I met Mr. Barton Panton, and Mr. Price, and Mr. Bettiss in the Clay-lane was the Sunday before Whit-Sunday.

SIR WILLIAM FOLLETT. *Q.* Why did you turn back to go through the farm buildings instead of going on? *A.* That was always the way we went from Plasgwyn, through the farm yard—it is nearest by one half to go the way I speak of, than to go to the other lodge—the way I went was the nearest to Rhuulas.

OWEN WILLIAMS. I am in the service of Mr. Thomas Williams. I went into his service on the 22nd of February, 1836—since I have been in his service, I have seen Mr. Jones Panton at Brynbras twice—I am still in his service—I remember assisting Thomas Owen to put the horses to the phaeton, a week before Whit-Sunday—I saw my master go off with Thomas Owen—they did not tell me where they were going, but Ellen Evans told me, a few minutes after they started, that they were going to Plasgwyn—they came back in the evening between the two lights—I remember the Whit-Monday following—I helped to put the horses too then—Mr. Williams, Mrs. Williams, and Thomas Owen went then—I did not know where they were going then till Ellen Evans told me, about an hour afterwards, that they were gone to Plasgwyn.

REV. OWEN GETHIN WILLIAMS. I am a clergyman of the Church of England, and reside at Rhuulas. I am the brother of Mr. Thomas Williams—I am perpetual curate of a place four or five miles from Rhuulas—I am a magistrate for the county of Anglesea—Rhuulas is my place of residence—my brother was in the habit of visiting me now and then—it is

about a quarter of a mile from Plasgwyn, but across the fields, about half-a-mile along—he used to send his horses to Rhuulas always when he came from Plasgwyn—I recollect the Sunday before Whit-Sunday last year—it was the 7th of May—my brother Mr. Thomas Williams was at Rhuulas that day—he met me on the road as I was coming from my church—it was the Sunday before Whit-Sunday, because Mr. Panton was taken dangerously ill, and we said to ourselves, if he had come on that Sunday, we should not have had to send a purpose messenger for him on Whit-Monday, which we did—I am very certain it was the Sunday before Whit-Sunday—it was about half-past one o'clock when I met my brother—we dined that Sunday at two o'clock, my brother Mr. Thomas Williams dined along with me—I suppose he might have left Rhuulas between four and five o'clock in the afternoon—Thomas Owen accompanied him that day—I saw him when my brother was going away—Thomas Owen was in the habit of driving him—when I saw him, between one and two o'clock, he was on foot along with my wife, who was in a small foot carriage which he had bought in London—it was the first time he had seen it since its arrival in the country—I heard of Mr. Panton being taken ill on Whit-Sunday—I sent a purpose messenger on Whit-Monday morning, to fetch the prisoner and his wife—they both came to Rhuulas that Whit-Monday morning—they met the messenger on the road as they were coming.

Q. Do you know of your own knowledge whether they were at Plasgwyn on Whit-Monday? *A.* I can only say they sent the carriage to Rhuulas and came afterwards—I suppose it was about twelve o'clock when they came—they went off that evening—I saw Mrs. Williams afterwards at Rhuulas, I should think about a couple of days before the death of Mr. Panton—she slept at Rhuulas one night—she sent her carriage on to Rhuulas, and the servant who brought the carriage said his mistress was at Plasgwyn—I did not see her that night—I had gone to bed before she came—I saw her the next morning—she said she had seen her father and he was very poorly—I have seen the late Mr. Jones Panton's writing, but I cannot say that I have seen him write—I had no correspondence with him—I know his writing, because we were subscribers to a Dispensary for trusses, and it is necessary that two should sign the order for trusses, and he has sent his to me to be signed, and I have sent mine to him—this letter is his writing—(*letter read.*)

" Plasgwyn, 7 Jany. 1837.

" My Dear Tom—I beg of you to give me your vote in favour of Mr. , as I have given him my interest. With best regards to you both.

" Yours affectionately, Jones Panton.

" Pray let me hear of you by return of mail to my request."

Paul Panton *re-examined.* This is my father's writing—(*looking at the letter.*)

Rev. Owen Gethin Williams *re-examined.* After the election was over I was at Plasgwyn at the latter end of March. On my brother and Mrs. Williams's return from London, my brother came to Rhuulas to see us, and left his wife at Plasgwyn with her father—after that I and my brother went to Plasgwyn, and saw Mrs. Williams, and Mr. Panton—Mr. and Mrs. Thomas Williams went off almost immediately I got there—we were at one time all in the room together—Mr. Panton said, after Mr. B. Panton had left the room, " I must beg of you to take care of poor Laura, if any thing should happen to *Tom*, he is my executor "—I have heard him on other

occasions speak in terms of affection of his daughter Laura, (Mrs. Williams—) I have heard him say," I hope your family will provide for Laura," she has always been in delicate health—he always seemed to me to be fond of her.

Cross-examined by SIR WILLIAM FOLLETT. *Q.* Have you often seen them together? *A.* Yes, at Plasgwyn, and have seen them on a visit—I used to call at Plasgwyn, but not very often—on the Sunday before Whit-Sunday I met my brother, as we were coming from church, (which is about five miles from Rhuulas,) between one and two o'clock—it is not a quarter of a mile from my residence at Rhuulas—they were coming towards church, that is in the opposite direction to Plasgwyn—the service of my church is over at twelve o'clock or a little after—I left my church, as soon as the service was over, on horseback, and went towards Rhuulas—I met my brother and my wife—he was walking by the side of the Bath chair—that would be more than half-past twelve o'clock—I could not ride it in less than an hour, or an hour and a quarter—it would be somewhat after one o'clock—my wife is not in town, she is quite an invalid—none of my servants are in town, except a lady who was with Mrs. Williams as companion—she was with her at that time—I dined about two o'clock, and he left me after that—on the Monday afterwards Mrs. Williams, his wife, was with him—I was not examined in the Ecclesiastical Court—I have made no deposition or statement on the subject—when Mr. Panton said to me, "I must beg of you to take care of poor Laura, if any thing should happen to *Tom*, he is my executor," no one was present at Plasgwyn—that was the latter end of March, the first time after they returned from London—I cannot say which room it was in—I called there with my brother as he was returning from Rhuulas, to see Mrs. Williams, my brother's wife, who was at Plasgwyn—I went with my brother—Mrs. Thomas Williams was there—I only went to call—I might have been there half an hour—I saw Mrs. Panton and her child—(I did not see Mr. Barton Panton)—they were in the same room with Mr. Jones Panton—Mr. Thomas Williams left his wife at Plasgwyn, came to me and took me back with him to Plasgwyn—all the rest had gone out of the room, when this was said—Mrs. Barton Panton and her child had gone out of the room, and Mr. and Mrs. Williams were gone home—they did not stay five minutes after I got there—I had not had any talk with Mr. Panton about his affairs before this—my brother was not in delicate health—he said it abruptly—I said, in reply, "Certainly we shall"—he did not ask me to be his executor if any thing happened to *Tom*—I did not tell Mr. Panton that I was aware of the fact before, that my brother was to be his executor—I was not aware of it—that was the first time I had any intimation of it—I did not mention it to my brother until after the demise of Mr. Panton, when my brother told me he was executor the day after Mr. Panton's death, and I said, "Mr. Panton has told me that," that would be on the 27th of May—I attended afterwards at Mr. Panton's house, and saw the wills that were there—I did not then inform any one of the fact, that my brother was executor to Mr. Panton's will—I knew at that time that Barton Panton was acting as executor—I did not apply to him for the purchase of fixtures of the house at Plasgwyn—Mrs. Jones Panton herself applied—she sent to me to go with her—she had sent the valuers there before, but only asked me to be present at her bargaining with Mr. Barton Panton—I went, and Mr. Barton Panton agreed to sell her the fixtures in the house at Plasgwyn—she did not ask me to value them—she said some things were too dear, but I did not take any responsible part at all—I cannot mention the day I went with her to

Plasgwyn—it was some time after the demise of Mr. Panton—it might be a fortnight or three weeks—I went to Plasgwyn, and saw the wills—it was on the 9th of June—it might be a week or a fortnight after that time that I and Mrs. Panton went there—I am certain it was a week—I fancy it must be a week—I cannot say positively—she said some things were too dear, I said nothing—she had the things valued—she asked me to be present to witness her purchasing the things—I was looking on—I heard bargains made—the price that was agreed to be paid was from 100*l.* to 130*l.*, I believe—I did not tell Mrs. Jones Panton that Mr. Barton Panton was not the executor, and had no right to sell, because my brother desired me to keep it a secret, as he had his wills in London, and he should go to London, and consult his proctor how to act—I stood by and witnessed the bargains, but did not say a word about it—she has not paid for the fixtures, I believe—I cannot say whether she has or not—she did not pay on that occasion—I did not see my brother several times after that March when I had the conversation with the testator—I saw him on Whit-Monday and the Sunday before—on Whit-Sunday I knew Mr. Panton was very ill, and saw my brother on the Monday—I had no talk with him then about this conversation.

Mr. Attorney-General. *Q.* You stated your brother told you the day before Mr. Panton's death that he was the executor? *A.* Yes—he wanted to go to Plasgwyn to take possession of the things there—I told him not to make a commotion at all, I said "because you do not know what wills there may be after yours"—he said, "It is surprising if there are, because he has confirmed my will on the 7th of May"—I told him, "Mr. Panton has been poorly for a fortnight, and getting up every day; you do not know what wills he might have made, or what other will"—I told him he had better go to London, and get his wills, and have a proctor's opinion on them, or an advocate's opinion—he said his wills were at his banker's in London—I am quite certain this was the day after Mr. Panton's death—the conversation dropped there—I am very certain it was the day after Mr. Panton's death.

Eliza Morris. I live at Rhuulas, as companion of Mrs. Gethin Williams—she is not in a fit state of health to come to London. I remember the Sunday before Whit-Sunday—I saw Mr. Thomas Williams at Rhuulas that day—before he came there, Thomas Williams, his coachman, brought his phaeton there—Mr. Williams came a short time before dinner—we dined at two o'clock—I saw Mr. and Mrs. Thomas Williams at Rhuulas, on Whit-Monday—Mr. Thomas Williams had purchased a bath chair in London—Mrs. Williams was taken out in that on the Sunday before Whit-Sunday—I went with it, and Mr. Thomas Williams drew it a short way, and then the servant took it—Mr. Thomas Williams had not seen it before that day, after it had arrived at Rhuulas.

Cross-examined by Mr. Phillips. *Q.* What kind of day was that in the morning? *A.* It rained—Mrs. Thomas Williams was not there on the Sunday—Mr. Thomas Williams came alone to Rhuulas—Mrs. Thomas Williams came on Whit-Monday—Mr. Panton got worse the week after the 7th—we heard it at Rhuulas—I cannot be positive what time of the day Mrs. Thomas Williams came—it might have been about one o'clock—I was told that she went across to Plasgwyn during that day to see the old gentlemen, by some of the servants—it was Thomas Owen, the coachman—I cannot exactly remember on what day he told me—it was not since this

trial began—it was very soon after Whit-Monday—I knew, from my own recollection, that Mrs. Williams was at Plasgwyn—I did hear Thomas Owen say so—I happened to hear him say so—he happened to mention it—I asked him, and he told me they were gone to Plasgwyn that morning—I had no particular reason for so doing—I asked him where the family were during the course of the Whit-Monday—I said it was shortly after Whit-Monday before, because I did not understand your question.

MR. JERVIS. *Q.* Did you see Thomas Owen come with the empty carriage to Rhuulas? *A.* Yes, and on the Monday I saw him.

JANE THOMAS. I was in the service of the late Mr. Jones Panton, for nearly nine years, down to the time of his death, as upper-housemaid—I occasionally attended upon him—there was no other servant that attended upon him more than myself—he was as kind to me as a master ought to be—he has often said I should not be a loser by his death, many times—he said that about a month or three weeks before his death—I used to rub his legs every night, they swelled very much—he made use of that expression often—on Thursday he was taken poorly, he was worse on Sunday; he had complained of a cold on Thursday, but went out that day; he was very ill on Whit-Sunday—I saw Mr. Thomas Williams at Plasgwyn a few days before that, Thursday, in the hall, going across the blue parlour—I cannot tell what day of the week it was—the blue parlour is on the ground-floor—my master received people who came to see him there—he did business there—the pen, ink, and paper, were always kept there—Mrs. Barton Panton was up in the nursery when he first came in—I saw no more of him, except going through the hall towards the blue parlour—I saw him well—I can positively swear I saw him on that occasion—I cannot exactly tell what time of the day it was—I saw Mr. Thomas Williams again at Plasgwyn before Mr. Panton died, that was on Whitsuntide Monday—I had seen him go across the hall a few days before master was taken ill—he was taken ill on the Thursday before Whit-Sunday—Mrs. Williams was along with him on Whit-Monday—I saw them both—I cannot say the hour—I cannot say where they went to from Plasgwyn—they saw Mr. Panton on the Whit-Monday—I was not present—they did not go up to his bed-room, he was in the blue parlour—he did not keep his bed at all for the whole day, before he died—I saw Mrs. Williams there again—I do not recollect seeing Mr. Williams—I do not recollect seeing her there on any day before his death, but on the 24th—I have seen Mrs. Williams and Mr. Panton together often—it appeared to me that he was very fond of her—he used to go and visit Mr. and Mrs. Williams often twice a-year.

Cross-examined by MR. PHILLIPS. *Q.* Can you give us any notion about what time of the day it was you saw Mr. Williams at your master's house? *A.* I cannot say what time—Mr. Panton generally dined from a quarter to twenty minutes past five o'clock—I cannot tell whether it was before dinner or after—I beg pardon, I made a mistake—it was before my master's dinner, but I cannot say how long—I cannot say who let him in then, or on Whit-Monday—it was a few days before my master was ill on Thursday, that Mr. Thomas Williams came to Plasgwyn—that was the day I saw him going across the hall—I do not remember seeing his little chaise at the door—Mr. and Mrs. Williams came on Whit-Monday in their pony-carriage—they drove up to the door, I was told—I cannot tell what time they came, nor how long they staid, nor who let them in, nor who let them out

—I do not know where Doctors' Commons is—I was examined in London within this fortnight—Hugh Thomas, the butler, generally lets people in and out—Richard did so very seldom—I did not speak to Mr. Thomas Williams, as I saw him crossing the hall—he did not see me—I was crossing the best stairs—I did not hear a double knock at the door, nor a loud knock or a ring, just before I saw him—the hall-door is sometimes shut and sometimes not—I cannot say particularly whether it was shut on Whit-Monday, when my master was ill—my master always behaved like a gentleman to Mrs. Barton Panton—I cannot say whether he was very fond of her—I cannot say whether he was cross when he was ill, and could not bear the sight of the child—I never saw him take it on his knees—I cannot say that he was particularly fond of it—I did not give my master his medicine—sometimes Pritchard did, sometimes Henry Brereton—I never gave any—I was not often present when medicine was given to him—he very often told me I should not be a loser by him—no one here ever heard him say so—I have been nearly nine years in the service altogether—I lived with him about two years before he mentioned that at all—and he frequently told me so for the last six or seven years—when I first went he was so bad as to require his legs to be rubbed—the last time he said I should not be a loser, was three weeks or a month before his death—I have never said since his death that I did not expect he would leave me a legacy.

Mr. Attorney General. *Q.* Used there to be any person present when you rubbed your master's legs? *A.* No, it was upon those occasions he used to say I should not be a loser by him—at Plasgwyn the front door was sometimes open, or ajar, so that a person could come in without ringing or knocking—I was subpœnaed on the part of the prosecutor as well as the prisoner.

NOT GUILTY.

1138. The said THOMAS WILLIAMS was *again* indicted, with ELLEN EVANS and ANN WILLIAMS, for feloniously forging and uttering, on the 12th of July, a certain will and testament, purporting to be the will and testament of Jones Panton, deceased, with intent to defraud William Barton Panton;—also, for forging a certain codicil to the said will, with a like intent; other counts, stating the intent to be to defraud other parties. Upon both of which no evidence was offered.

NOT GUILTY.

ADJOURNED TO MONDAY, MAY 14.